

## **IC 12-7-2**

### **Chapter 2. Definitions**

#### **IC 12-7-2-1**

##### **Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

#### **IC 12-7-2-1.3**

##### **Activities of daily living**

Sec. 1.3. "Activities of daily living", for purposes of IC 12-10-10 and IC 12-10-11.5, has the meaning set forth in IC 12-10-10-1.5.

*As added by P.L.150-1995, SEC.1. Amended by P.L.274-2003, SEC.1.*

#### **IC 12-7-2-1.5**

##### **Administrator**

Sec. 1.5. "Administrator", for purposes of:

(1) IC 12-10-15, has the meaning set forth in IC 12-10-15-1.5;  
and

(2) IC 12-24-17, has the meaning set forth in IC 12-24-17-1.

*As added by P.L.74-1992, SEC.2. Amended by P.L.184-2003, SEC.2.*

#### **IC 12-7-2-1.8**

##### **Adult entertainment establishment**

Sec. 1.8. "Adult entertainment establishment", for purposes of IC 12-13-14-4.5, means a place that provides adult oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

*As added by P.L.3-2012, SEC.1.*

#### **IC 12-7-2-2**

##### **Adult protective services unit**

Sec. 2. "Adult protective services unit", for purposes of IC 12-10-3, has the meaning set forth in IC 12-10-3-1.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-3**

##### **Advance**

Sec. 3. "Advance", for purposes of IC 12-20-25-41, has the meaning set forth in IC 12-20-25-41.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-3.3**

##### **Advisory committee**

Sec. 3.3. "Advisory committee", for purposes of IC 12-15-35-51, has the meaning set forth in IC 12-15-35-51.

*As added by P.L.36-2009, SEC.1.*

#### **IC 12-7-2-4**

##### **Advocacy**

Sec. 4. "Advocacy", for purposes of IC 12-28-1, has the meaning set forth in IC 12-28-1-2.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-5**

##### **Advocate**

Sec. 5. "Advocate", for purposes of IC 12-26, refers to a person who:

(1) is a court appointed special advocate (as defined in IC 31-9-2-28); or

(2) is a guardian ad litem (as defined in IC 31-9-2-50).

*As added by P.L.2-1992, SEC.1. Amended by P.L.1-1997, SEC.48.*

#### **IC 12-7-2-6**

##### **AFDC**

Sec. 6. "AFDC" refers to the Aid to Families with Dependent Children program.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-7**

##### **Affected agency**

Sec. 7. "Affected agency", for purposes of IC 12-16-1, has the meaning set forth in IC 12-16-1-1.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-8**

##### **Aged**

Sec. 8. "Aged", for purposes of IC 12-10-1 and IC 12-10-2, means an individual who is at least sixty (60) years of age.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-9**

##### **Agency**

Sec. 9. "Agency" means the following:

(1) For purposes of IC 12-10-12, the meaning set forth in IC 12-10-12-1.

(2) For purposes of IC 12-12.7-2, the meaning set forth in IC 12-12.7-2-1.

(3) For purposes of IC 12-32-1, the meaning set forth in IC 12-32-1-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.21-1992, SEC.3; P.L.93-2006, SEC.3; P.L.171-2011, SEC.9.*

#### **IC 12-7-2-10**

##### **Alcohol abuse**

Sec. 10. "Alcohol abuse", for purposes of IC 12-23, means repeated episodes of intoxication or drinking which impair health or interfere with an individual's effectiveness on the job, at home, in the community, or operating a motor vehicle.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-11****Alcohol abuser**

Sec. 11. "Alcohol abuser", for purposes of IC 12-23, means an individual who has had repeated episodes of intoxication or drinking which impair the individual's health or interfere with the individual's effectiveness on the job, at home, in the community, or in operating a motor vehicle.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-12****Alcohol and drug services program**

Sec. 12. "Alcohol and drug services program", for purposes of IC 12-23, means a service for a person:

- (1) arrested for, charged with, or convicted of a misdemeanor or felony;
- (2) against whom a:
  - (A) complaint for an infraction is filed; or
  - (B) judgment for an infraction is entered; or
- (3) who is referred to a program under IC 12-23-14-5;

which provides intervention, education, referral, treatment, or rehabilitation, under the operation of a court or under private contract.

*As added by P.L.2-1992, SEC.1. Amended by P.L.168-2002, SEC.1; P.L.80-2003, SEC.1; P.L.187-2011, SEC.2.*

**IC 12-7-2-13****Alcoholic**

Sec. 13. "Alcoholic", for purposes of IC 12-23, means an individual who chronically and habitually uses alcoholic beverages to the extent that the individual:

- (1) loses the power of self control with respect to the use of alcoholic beverages; and
- (2) becomes a menace to the public morals, health, safety, or welfare of the members of society in general.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-14****Alcoholism**

Sec. 14. "Alcoholism", for purposes of IC 12-23, means the abnormal condition which the effect of alcohol produces in an alcoholic.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-14.3****Alzheimer's and dementia special care**

Sec. 14.3. "Alzheimer's and dementia special care", for purposes of IC 12-10-5.5, has the meaning set forth in IC 12-10-5.5-1.

*As added by P.L.106-1997, SEC.1.*

**IC 12-7-2-14.7**

**Ancillary services**

Sec. 14.7. "Ancillary services", for purposes of IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-2.

*As added by P.L.255-2001, SEC.1. Amended by P.L.141-2006, SEC.11.*

**IC 12-7-2-15****Applicant**

Sec. 15. "Applicant" means the following:

(1) For purposes of the following statutes, a person who has applied for assistance for the applicant or another person under any of the following statutes:

(A) IC 12-10-6.

(B) IC 12-10-12.

(C) IC 12-13.

(D) IC 12-14.

(E) IC 12-15.

(F) IC 12-19.

(2) For purposes of IC 12-17-12, the meaning set forth in IC 12-17-12-1.

(3) For purposes of IC 12-17-13, the meaning set forth in IC 12-17-13-1.

(4) For the purposes of IC 12-17-2, a person who seeks a license to operate a child care center or child care home.

(5) For purposes of IC 31-27, a person who seeks a license to operate a child caring institution, foster family home, group home, or child placing agency.

*As added by P.L.2-1992, SEC.1. Amended by P.L.20-1992, SEC.4; P.L.81-1992, SEC.4; P.L.1-1993, SEC.68; P.L.61-1993, SEC.2; P.L.272-1999, SEC.6; P.L.145-2006, SEC.32.*

**IC 12-7-2-15.5****Appropriate and medically necessary**

Sec. 15.5. "Appropriate and medically necessary", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-1.

*As added by P.L.75-1992, SEC.1.*

**IC 12-7-2-16****Approved postsecondary educational institution**

Sec. 16. "Approved postsecondary educational institution" has the meaning set forth in IC 21-7-13-6(a).

*As added by P.L.2-1992, SEC.1. Amended by P.L.2-2007, SEC.153.*

**IC 12-7-2-17****Asset disregard**

Sec. 17. "Asset disregard", for purposes of IC 12-15-39.6, has the meaning set forth in IC 12-15-39.6-10.

*As added by P.L.2-1992, SEC.1. Amended by P.L.24-1997, SEC.5.*

**IC 12-7-2-18**

**Assistance**

Sec. 18. "Assistance", for purposes of the following statutes, means money or services regardless of the source, paid or furnished under any of the following statutes:

- (1) IC 12-10-6.
- (2) IC 12-10-12.
- (3) IC 12-13.
- (4) IC 12-14.
- (5) IC 12-15.
- (6) IC 12-19.

*As added by P.L.2-1992, SEC.1. Amended by P.L.272-1999, SEC.7; P.L.145-2006, SEC.33.*

**IC 12-7-2-18.3****Attendant care services**

Sec. 18.3. "Attendant care services", for purposes of IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-3.

*As added by P.L.255-2001, SEC.2. Amended by P.L.141-2006, SEC.12.*

**IC 12-7-2-18.7****Automated teller machine**

Sec. 18.7. "Automated teller machine", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

*As added by P.L.257-1997(ss), SEC.2.*

**IC 12-7-2-19****Autism**

Sec. 19. (a) "Autism", for purposes of IC 12-11-8, has the meaning set forth in IC 12-11-8-1.

(b) "Autism", for purposes of IC 12-11-1.1-6 and IC 12-28-4-13, refers to the characteristics of a neurological disorder that is described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

*As added by P.L.2-1992, SEC.1. Amended by P.L.99-2007, SEC.41; P.L.188-2013, SEC.3.*

**IC 12-7-2-20****Repealed**

*(Repealed by P.L.99-2007, SEC.224.)*

**IC 12-7-2-20.5****Basic necessities**

Sec. 20.5. "Basic necessities", for purposes of IC 12-20, includes those services or items essential to meet the minimum standards of health, safety, and decency, including the following:

- (1) Medical care described in IC 12-20-16-2.
- (2) Clothing and footwear.
- (3) Food.

- (4) Shelter.
- (5) Transportation to seek and accept employment on a reasonable basis.
- (6) Household essentials.
- (7) Essential utility services.
- (8) Other services or items the township trustee determines are necessities.

*As added by P.L.51-1996, SEC.2.*

#### **IC 12-7-2-20.7**

##### **Basic services**

Sec. 20.7. "Basic services", for purposes of IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-4.

*As added by P.L.255-2001, SEC.3. Amended by P.L.141-2006, SEC.13.*

#### **IC 12-7-2-21**

##### **Blind**

Sec. 21. "Blind" means the following:

(1) For purposes of the following statutes, the term refers to an individual who has vision in the better eye with correcting glasses of 20/200 or less, or a disqualifying visual field defect as determined upon examination by an ophthalmologist or optometrist who has been designated to make such examinations by the county office and approved by the division of family resources or by the division in the manner provided in any of the following statutes:

- (A) IC 12-10-6.
- (B) IC 12-10-12.
- (C) IC 12-13.
- (D) IC 12-14.
- (E) IC 12-15.
- (F) IC 12-19.

(2) For purposes of the following statutes, the term refers to an individual who has a central visual acuity of 20/200 or less in the individual's better eye with the best correction or a field of vision that is not greater than twenty (20) degrees at its widest diameter:

- (A) IC 12-12-1.
- (B) IC 12-12-3.
- (C) IC 12-12-5.
- (D) IC 12-12-6.

*As added by P.L.2-1992, SEC.1. Amended by P.L.4-1993, SEC.17; P.L.5-1993, SEC.30; P.L.49-1997, SEC.41; P.L.272-1999, SEC.9; P.L.145-2006, SEC.34.*

#### **IC 12-7-2-22**

##### **Board**

Sec. 22. "Board" means the following:

- (1) For purposes of IC 12-10-10, IC 12-10-10.5, and

IC 12-10-11, the community and home options to institutional care for the elderly and disabled board established by IC 12-10-11-1.

(2) For purposes of 12-12-7-5, the meaning set forth in IC 12-12-7-5(a).

(3) For purposes of IC 12-15-35, the meaning set forth in IC 12-15-35-2.

*As added by P.L.2-1992, SEC.1. Amended by P.L.75-1992, SEC.2; P.L.20-1992, SEC.5; P.L.81-1992, SEC.5; P.L.1-1993, SEC.69; P.L.40-1994, SEC.6; P.L.104-1996, SEC.1; P.L.23-1996, SEC.10; P.L.24-1997, SEC.6; P.L.272-1999, SEC.10; P.L.145-2006, SEC.35; P.L.145-2014, SEC.1.*

### **IC 12-7-2-23**

#### **Body**

Sec. 23. "Body", for purposes of IC 12-8-2.5, has the meaning set forth in IC 12-8-2.5-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.160-2012, SEC.8.*

### **IC 12-7-2-24**

#### **Bureau**

Sec. 24. "Bureau" means the following:

(1) For purposes of IC 12-10, the bureau of aging and in-home services established by IC 12-10-1-1.

(2) For purposes of IC 12-11, the bureau of developmental disabilities services established by IC 12-11-1.1-1.

(3) For purposes of IC 12-12, the rehabilitation services bureau of the division of disability and rehabilitative services established by IC 12-12-1-1.

(4) For purposes of IC 12-12.5, the bureau of quality improvement services established by IC 12-12.5-1-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.4-1993, SEC.18; P.L.5-1993, SEC.31; P.L.1-1994, SEC.47; P.L.40-1994, SEC.7; P.L.272-1999, SEC.11; P.L.243-2003, SEC.1; P.L.141-2006, SEC.14; P.L.145-2006, SEC.36; P.L.1-2007, SEC.104.*

### **IC 12-7-2-24.5**

#### **Buy-in program**

Sec. 24.5. "Buy-in program", as used in IC 12-15-41, has the meaning set forth in IC 12-15-41-1.

*As added by P.L.287-2001, SEC.2.*

### **IC 12-7-2-24.6**

#### **Caregiver**

Sec. 24.6. "Caregiver", for purposes of IC 12-17.2, means an individual who is assigned by a provider the responsibility for supervising a specific child in the care of the provider.

*As added by P.L.18-2003, SEC.1.*

### **IC 12-7-2-24.7**

**Repealed**

*(Repealed by P.L.255-2003, SEC.55.)*

**IC 12-7-2-24.8****Caretaker**

Sec. 24.8. "Caretaker", for purposes of IC 12-10.5, has the meaning set forth in IC 12-10.5-1-1.

*As added by P.L.274-2003, SEC.2.*

**IC 12-7-2-24.9****Case contact**

Sec. 24.9. "Case contact", for purposes of IC 12-20-28-3, has the meaning set forth in IC 12-20-28-3(b).

*As added by P.L.180-2005, SEC.1.*

**IC 12-7-2-25****Case management**

Sec. 25. "Case management", for purposes of IC 12-10-1 and IC 12-10-10, has the meaning set forth in IC 12-10-10-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.40-1994, SEC.8; P.L.150-1995, SEC.2; P.L.143-2011, SEC.3.*

**IC 12-7-2-26****Center**

Sec. 26. "Center", for purposes of IC 12-26, means a community mental health center.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-26.1****Center for independent living**

Sec. 26.1. "Center for independent living", for purposes of IC 12-12-8, has the meaning set forth in IC 12-12-8-1.

*As added by P.L.151-1995, SEC.2. Amended by P.L.272-1999, SEC.12.*

**IC 12-7-2-26.5****Chemical test**

Sec. 26.5. "Chemical test", for purposes of IC 12-23-14, means an analysis of an individual's:

- (1) blood;
- (2) breath;
- (3) hair;
- (4) sweat;
- (5) saliva;
- (6) urine; or
- (7) other bodily substance;

to determine the presence of alcohol or a controlled substance (as defined in IC 35-48-1-9).

*As added by P.L.168-2002, SEC.2. Amended by P.L.108-2010, SEC.3.*



**IC 12-7-2-27****Chief magistrate**

Sec. 27. "Chief magistrate", for purposes of IC 12-28-3, has the meaning set forth in IC 12-28-3-3.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-28****Child**

Sec. 28. "Child" means the following:

(1) For purposes of IC 12-17.2, an individual who is less than eighteen (18) years of age.

(2) For purposes of IC 12-26, the meaning set forth in IC 31-9-2-13(d).

*As added by P.L.2-1992, SEC.1. Amended by P.L.20-1992, SEC.6 and P.L.81-1992, SEC.6; P.L.1-1993, SEC.70; P.L.1-1997, SEC.49; P.L.34-2001, SEC.1; P.L.70-2004, SEC.2; P.L.145-2006, SEC.37.*

**IC 12-7-2-28.1****Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-28.2****Child care**

Sec. 28.2. "Child care", for purposes of IC 12-17.2, means a service that provides for the care, health, safety, and supervision of a child's social, emotional, and educational growth.

*As added by P.L.20-1992, SEC.7 and P.L.81-1992, SEC.7. Amended by P.L.1-1993, SEC.71; P.L.145-2006, SEC.38.*

**IC 12-7-2-28.4****Child care center**

Sec. 28.4. "Child care center", for purposes of IC 12-17.2, means a nonresidential building where at least one (1) child receives child care from a provider:

(1) while unattended by a parent, legal guardian, or custodian;

(2) for regular compensation; and

(3) for more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays.

*As added by P.L.20-1992, SEC.8; P.L.81-1992, SEC.8. Amended by P.L.1-1993, SEC.72; P.L.136-1993, SEC.1; P.L.1-1994, SEC.48; P.L.247-2001, SEC.4.*

**IC 12-7-2-28.6****Child care home**

Sec. 28.6. (a) "Child care home", for purposes of IC 12-17.2, means a residential structure in which at least six (6) children (not including the children for whom the provider is a parent, stepparent, guardian, custodian, or other relative or any child who is at least fourteen (14) years of age and does not require child care) at any

time receive child care from a provider:

- (1) while unattended by a parent, legal guardian, or custodian;
- (2) for regular compensation; and
- (3) for more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays.

(b) The term includes:

- (1) a class I child care home; and
- (2) a class II child care home.

*As added by P.L.20-1992, SEC.9 and P.L.81-1992, SEC.9. Amended by P.L.1-1993, SEC.73; P.L.136-1993, SEC.2; P.L.124-2007, SEC.1.*

### **IC 12-7-2-28.8**

#### **Child care ministry**

Sec. 28.8. "Child care ministry", for purposes of IC 12-17.2, means child care operated by a church or religious ministry that is a religious organization exempt from federal income taxation under Section 501 of the Internal Revenue Code.

*As added by P.L.20-1992, SEC.10 and P.L.81-1992, SEC.10. Amended by P.L.1-1993, SEC.74.*

### **IC 12-7-2-28.9**

#### **Child care program**

Sec. 28.9. "Child care program", for purposes of IC 12-17.2-3.5, has the meaning set forth in IC 12-17.2-3.5-1.2.

*As added by P.L.18-2003, SEC.2.*

### **IC 12-7-2-29**

#### **Child caring institution**

Sec. 29. "Child caring institution", for purposes of section 82(3) of this chapter and IC 12-26, means an institution that:

- (1) operates under a license issued under IC 31-27;
- (2) provides for delivery of mental health services that are appropriate to the needs of the individual; and
- (3) complies with the rules adopted under IC 4-22-2 by the department of child services.

*As added by P.L.2-1992, SEC.1. Amended by P.L.20-1992, SEC.11; P.L.81-1992, SEC.11; P.L.1-1993, SEC.75; P.L.61-1993, SEC.3; P.L.145-2006, SEC.39.*

### **IC 12-7-2-30**

#### **Child in need of services**

Sec. 30. "Child in need of services", for purposes of the following statutes, has the meaning set forth in IC 31-34-1-1 through IC 31-34-1-9:

- (1) IC 12-13.
- (2) IC 12-14.
- (3) IC 12-15.
- (4) IC 12-19.

*As added by P.L.2-1992, SEC.1. Amended by P.L.1-1997, SEC.50;*

*P.L.145-2006, SEC.40.*

**IC 12-7-2-31**

**Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-31.5**

**Repealed**

*(Repealed by P.L.234-2005, SEC.192.)*

**IC 12-7-2-31.6**

**Repealed**

*(Repealed by P.L.234-2005, SEC.192.)*

**IC 12-7-2-32**

**Child welfare services**

Sec. 32. "Child welfare services", for purposes of the following statutes, has the meaning set forth in IC 31-9-2-19.5:

- (1) IC 12-13.
- (2) IC 12-14.
- (3) IC 12-15.

*As added by P.L.2-1992, SEC.1. Amended by P.L.145-2006, SEC.41; P.L.146-2008, SEC.375.*

**IC 12-7-2-33**

**Repealed**

*(Repealed by P.L.61-1993, SEC.67.)*

**IC 12-7-2-33.5**

**Chronically medically dependent**

Sec. 33.5. "Chronically medically dependent" for purposes of IC 12-15-36, has the meaning set forth in IC 12-15-36-2.

*As added by P.L.76-1992, SEC.1.*

**IC 12-7-2-33.6**

**Coalition**

Sec. 33.6. "Coalition", for purposes of IC 12-18-8, has the meaning set forth in IC 12-18-8-1.

*As added by P.L.181-2003, SEC.1.*

**IC 12-7-2-33.7**

**Class I child care home**

Sec. 33.7. (a) As used in this chapter, "class I child care home" means a child care home that serves any combination of full-time and part-time children, not to exceed at any one (1) time twelve (12) children plus three (3) children during the school year only who are enrolled in at least full-day kindergarten. Except as provided in IC 12-17.2-5-6.3(b), the addition of three (3) school age children may not occur during a break in the school year that exceeds four (4) weeks.

(b) A child:

- (1) for whom a provider of care in the child care home is a parent, stepparent, guardian, custodian, or other relative and who is at least seven (7) years of age; or
- (2) who is at least fourteen (14) years of age and does not require child care;

shall not be counted in determining whether the child care home is within the limit set forth in subsection (a).

*As added by P.L.136-1993, SEC.3. Amended by P.L.106-1996, SEC.1; P.L.247-2001, SEC.5; P.L.124-2007, SEC.2; P.L.197-2011, SEC.38.*

#### **IC 12-7-2-33.8**

##### **Class II child care home**

Sec. 33.8. (a) As used in this chapter, "class II child care home" means a child care home that serves more than twelve (12) children but not more than any combination of sixteen (16) full-time and part-time children at any one (1) time.

(b) A child:

- (1) for whom a provider of care in the child care home is a parent, stepparent, guardian, custodian, or other relative and who is at least seven (7) years of age; or
- (2) who is at least fourteen (14) years of age and does not require child care;

shall not be counted in determining whether the child care home is within the limit set forth in subsection (a).

*As added by P.L.136-1993, SEC.4. Amended by P.L.124-2007, SEC.3.*

#### **IC 12-7-2-33.9**

##### **Clean claim**

Sec. 33.9. (a) "Clean claim", for purposes of IC 12-15-13, except for IC 12-15-13-1 and IC 12-15-13-1.5, has the meaning set forth in IC 12-15-13-0.5.

(b) "Clean claim", for purposes of IC 12-15-13-1 and IC 12-15-13-1.5, has the meaning set forth in IC 12-15-13-0.6.

*As added by P.L.107-1996, SEC.1 and P.L.257-1996, SEC.1.*

#### **IC 12-7-2-34**

##### **Commission**

Sec. 34. "Commission" means the following:

- (1) For purposes of IC 12-10-2, the meaning set forth in IC 12-10-2-1.
- (2) For purposes of IC 12-12-2, the meaning set forth in IC 12-12-2-1.
- (3) For purposes of IC 12-13-14, the meaning set forth in IC 12-13-14-1.
- (4) For purposes of IC 12-15-46-2, the meaning set forth in IC 12-15-46-2(a).
- (5) For purposes of IC 12-28-1, the meaning set forth in

IC 12-28-1-3.

*As added by P.L.2-1992, SEC.1. Amended by P.L.42-1995, SEC.4; P.L.2-1997, SEC.29; P.L.12-2006, SEC.1; P.L.181-2006, SEC.50; P.L.1-2007, SEC.105; P.L.6-2012, SEC.80; P.L.53-2014, SEC.96.*

**IC 12-7-2-34.2**

**Commissioner**

Sec. 34.2. "Commissioner", for purposes of IC 12-12-8, has the meaning set forth in IC 12-12-8-1.5.

*As added by P.L.217-2005, SEC.1.*

**IC 12-7-2-35 Version a**

**Committee**

*Note: This version of section effective until 3-24-2014. See also following version of this section, effective 3-24-2014.*

Sec. 35. "Committee" means the following:

- (1) For purposes of IC 12-15-33, the meaning set forth in IC 12-15-33-1.
- (2) For purposes of IC 12-17.2-3.3, the meaning set forth in IC 12-17.2-3.3-1.
- (3) For the purposes of IC 12-17.2-3.6, the meaning set forth in IC 12-17.2-3.6-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.2-1995, SEC.44; P.L.42-1995, SEC.5; P.L.107-2005, SEC.1; P.L.1-2007, SEC.106; P.L.229-2011, SEC.105; P.L.205-2013, SEC.172; P.L.2-2014, SEC.56.*

**IC 12-7-2-35 Version b**

**Committee**

*Note: This version of section effective 3-24-2014. See also preceding version of this section, effective until 3-24-2014.*

Sec. 35. "Committee" means the following:

- (1) For purposes of IC 12-15-33, the meaning set forth in IC 12-15-33-1.
- (2) For purposes of IC 12-17.2-3.6, the meaning set forth in IC 12-17.2-3.6-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.2-1995, SEC.44; P.L.42-1995, SEC.5; P.L.107-2005, SEC.1; P.L.1-2007, SEC.106; P.L.229-2011, SEC.105; P.L.205-2013, SEC.172; P.L.2-2014, SEC.56; P.L.53-2014, SEC.97.*

**IC 12-7-2-36**

**Community action agency**

Sec. 36. "Community action agency", for purposes of IC 12-14-23, has the meaning set forth in IC 12-14-23-2.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-37**

**Community and home care services**

Sec. 37. "Community and home care services", for purposes of

IC 12-10-10, has the meaning set forth in IC 12-10-10-2.  
*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-38**

##### **Community mental health center**

Sec. 38. "Community mental health center" means a program of services that meets the following conditions:

- (1) Is approved by the division of mental health and addiction.
- (2) Is organized for the purpose of providing multiple services for persons with mental illness or a chronic addictive disorder.
- (3) Is operated by one (1) of the following or any combination of the following:
  - (A) A city, a town, a county, or another political subdivision of Indiana.
  - (B) An agency of the state.
  - (C) An agency of the United States.
  - (D) A political subdivision of another state.
  - (E) A hospital owned or operated by a unit of government described in clauses (A) through (D).
  - (F) A building authority organized for the purpose of constructing facilities to be leased to units of government.
  - (G) A corporation incorporated under IC 23-7-1.1 (before its repeal August 1, 1991) or IC 23-17.
  - (H) A nonprofit corporation incorporated in another state.
  - (I) A university or college.

*As added by P.L.2-1992, SEC.1. Amended by P.L.23-1993, SEC.35; P.L.40-1994, SEC.9; P.L.215-2001, SEC.24.*

#### **IC 12-7-2-39**

##### **Community mental retardation and other developmental disabilities centers**

Sec. 39. "Community mental retardation and other developmental disabilities centers", for purposes of IC 12-29 (except as provided in IC 12-29-3-6), means a program of services that meets the following conditions:

- (1) Is approved by the division of disability and rehabilitative services.
- (2) Is organized for the purpose of providing multiple services for persons with developmental disabilities.
- (3) Is operated by one (1) of the following or any combination of the following:
  - (A) A city, a town, a county, or another political subdivision of Indiana.
  - (B) An agency of the state.
  - (C) An agency of the United States.
  - (D) A political subdivision of another state.
  - (E) A hospital owned or operated by a unit of government described in clauses (A) through (D).
  - (F) A building authority organized for the purpose of constructing facilities to be leased to units of government.

- (G) A corporation incorporated under IC 23-7-1.1 (before its repeal August 1, 1991) or IC 23-17.
- (H) A nonprofit corporation incorporated in another state.
- (I) A university or college.
- (4) Is accredited for the services provided by one (1) of the following organizations:
  - (A) The Commission on Accreditation of Rehabilitation Facilities (CARF), or its successor.
  - (B) The Council on Quality and Leadership in Supports for People with Disabilities, or its successor.
  - (C) The Joint Commission on Accreditation of Healthcare Organizations (JCAHO), or its successor.
  - (D) The National Commission on Quality Assurance, or its successor.
  - (E) An independent national accreditation organization approved by the secretary.

*As added by P.L.2-1992, SEC.1. Amended by P.L.23-1993, SEC.36; P.L.4-1993, SEC.19; P.L.5-1993, SEC.32; P.L.1-1994, SEC.49; P.L.24-1997, SEC.7; P.L.64-2002, SEC.2; P.L.141-2006, SEC.15.*

## **IC 12-7-2-40**

### **Community based residential program**

Sec. 40. "Community based residential program", for purposes of IC 12-22-2, refers to the programs described in IC 12-22-2-3.5.

*As added by P.L.2-1992, SEC.1. Amended by P.L.272-1999, SEC.13; P.L.143-2011, SEC.4.*

## **IC 12-7-2-40.2**

### **Community spouse**

Sec. 40.2. "Community spouse", for purposes of IC 12-15-2, means an individual who:

- (1) is the spouse of an individual who resides in a nursing facility or another medical institution; and
- (2) does not reside in a nursing facility or another medical institution.

*As added by P.L.246-2005, SEC.98.*

## **IC 12-7-2-40.5**

### **Compendia**

Sec. 40.5. "Compendia", for purposes of IC 12-15-35 and IC 12-15-35.5, has the meaning set forth in IC 12-15-35-3.

*As added by P.L.75-1992, SEC.3. Amended by P.L.107-2002, SEC.4.*

## **IC 12-7-2-40.6**

### **Continuum of care**

Sec. 40.6. (a) "Continuum of care" means a range of services:

- (1) defined by the division in rules adopted under IC 4-22-2 to provide a comprehensive continuum of care by a community mental health center or other provider; and
- (2) based on recovery focused models of care and that are

intended to meet the individual treatment needs of the behavioral health consumer.

(b) The continuum of care may include the following services:

- (1) Wellness programs.
- (2) Engagement services.
- (3) Outpatient and inpatient services.
- (4) Rehabilitative and habilitative services.
- (5) Residential care and supported housing.
- (6) Acute intensive services.

All services must support prevention and treatment of mental health and addiction for all populations.

*As added by P.L.40-1994, SEC.10. Amended by P.L.143-2011, SEC.5.*

#### **IC 12-7-2-40.7**

##### **Consumer control**

Sec. 40.7. "Consumer control", for purposes of IC 12-12-8, has the meaning set forth in IC 12-12-8-2.

*As added by P.L.151-1995, SEC.3. Amended by P.L.272-1999, SEC.14.*

#### **IC 12-7-2-41**

##### **Contracting county**

Sec. 41. "Contracting county", for purposes of IC 12-30-7, has the meaning set forth in IC 12-30-7-2.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-42**

##### **Contribution**

Sec. 42. "Contribution", for purposes of IC 12-17-12, has the meaning set forth in IC 12-17-12-2.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-43**

##### **Control board**

Sec. 43. "Control board", for purposes of IC 12-20-25, has the meaning set forth in IC 12-20-25-2.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-43.5**

##### **Cooperate**

Sec. 43.5. (a) "Cooperate", for purposes of IC 12-14-2-24, IC 12-14-7-2, and IC 12-14-7-3, includes, with regard to nonparent custodians or guardians, the following:

- (1) To appear at appointments, in person or by telephone, with a prosecuting attorney related to:
  - (A) establishing:
    - (i) paternity; or
    - (ii) an order for child support; or
  - (B) enforcing an order for child support.



- (2) To return telephone calls and respond to correspondence when requested by a prosecuting attorney.
- (3) To supply information, to the extent known by the nonparent custodian or guardian, for a prosecuting attorney to proceed with appropriate actions to:
  - (A) establish paternity of a dependent child;
  - (B) locate parents; or
  - (C) establish a child support order with respect to a child.
- (4) To appear at hearings regarding:
  - (A) establishment of paternity of a child or a child support order; or
  - (B) enforcement of a child support order;
 if attendance is necessary as determined by the prosecuting attorney.
- (b) Information under subsection (a)(3) includes:
  - (1) identification of potential fathers of a dependent child, if known and paternity has not been established; and
  - (2) the following information, if known, regarding any parent or potential parent of a dependent child:
    - (A) The full legal name and nicknames.
    - (B) The Social Security number.
    - (C) The current or last known address and phone number.
    - (D) The current or last known employer, including the name and address of the employer.
    - (E) If a student, the current or last known school.
    - (F) The criminal record, including where and when the parent or potential parent was incarcerated.
    - (G) The date of birth or age.
    - (H) The race.
    - (I) Any known group or organizational affiliations.
    - (J) The names and addresses of close friends or relatives.
    - (K) Any other information that the prosecuting attorney requests to help locate or identify a parent of a dependent child.
    - (L) A recent photograph.

*As added by P.L.80-2010, SEC.15.*

#### **IC 12-7-2-44**

##### **Council**

Sec. 44. "Council" means the following:

- (1) For purposes of IC 12-9-4, the meaning set forth in IC 12-9-4-1.
- (2) For purposes of IC 12-12-8, the meaning set forth in IC 12-12-8-2.5.
- (3) For purposes of IC 12-13-4, the meaning set forth in IC 12-13-4-1.
- (4) For purposes of IC 12-12.7-2, the meaning set forth in IC 12-12.7-2-2.
- (5) For purposes of IC 12-21-4, the meaning set forth in IC 12-21-4-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.21-1992, SEC.4; P.L.40-1994, SEC.11; P.L.91-1996, SEC.2; P.L.287-2001, SEC.3; P.L.217-2005, SEC.2; P.L.93-2006, SEC.4; P.L.130-2009, SEC.15; P.L.197-2011, SEC.39; P.L.229-2011, SEC.106; P.L.6-2012, SEC.81.*

#### **IC 12-7-2-44.5**

##### **Counseling**

Sec. 44.5. "Counseling", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-4.

*As added by P.L.75-1992, SEC.4.*

#### **IC 12-7-2-44.6**

##### **Countable asset**

Sec. 44.6. "Countable asset" means the following:

(1) For purposes of IC 12-10-10.5, in determining eligibility for the community living pilot program, property that is included in determining assets in the same manner as determining an individual's eligibility for the Medicaid aged and disabled waiver.

(2) For purposes of IC 12-20, noncash property that is not necessary for the health, safety, or decent living standard of a household that:

(A) is owned wholly or in part by the applicant or a member of the applicant's household;

(B) the applicant or the household member has the legal right to sell or liquidate; and

(C) includes:

(i) real property other than property that is used for the production of income or that is the primary residence of the household;

(ii) savings and checking accounts, certificates of deposit, bonds, stocks, and other intangibles that have a net cash value; and

(iii) boats, other vehicles, or any other personal property used solely for recreational or entertainment purposes.

*As added by P.L.51-1996, SEC.3. Amended by P.L.145-2014, SEC.2.*

#### **IC 12-7-2-44.7**

##### **Countable income**

Sec. 44.7. "Countable income", for purposes of IC 12-20, means a monetary amount either paid to an applicant or a member of an applicant's household not more than thirty (30) days before the date of application for township assistance, or accrued and legally available for withdrawal by an applicant or a member of an applicant's household at the time of application or not more than thirty (30) days after the date of application for township assistance.

The term includes the following:

(1) Gross wages before mandatory deductions.

(2) Social Security benefits, including Supplemental Security

Income.

(3) Aid to Families with Dependent Children.

(4) Unemployment compensation.

(5) Worker's compensation (except compensation that is restricted for the payment of medical expenses).

(6) Vacation pay.

(7) Sick benefits.

(8) Strike benefits.

(9) Private or public pensions.

(10) Taxable income from self-employment.

(11) Bartered goods and services provided by another individual for the payment of nonessential needs on behalf of an applicant or an applicant's household if monetary compensation or the provision of basic necessities would have been reasonably available from that individual.

(12) Child support.

(13) Gifts of cash, goods, or services.

(14) Other sources of revenue or services that the township trustee may reasonably determine to be countable income.

*As added by P.L.51-1996, SEC.4. Amended by P.L.73-2005, SEC.5.*

#### **IC 12-7-2-44.9**

##### **Countable resources**

Sec. 44.9. "Countable resources", for purposes of IC 12-15-41, has the meaning set forth in IC 12-15-41-2.

*As added by P.L.287-2001, SEC.4.*

#### **IC 12-7-2-45**

##### **County office**

Sec. 45. "County office" refers to a county office of the division of family resources.

*As added by P.L.2-1992, SEC.1. Amended by P.L.4-1993, SEC.20; P.L.5-1993, SEC.33; P.L.146-2008, SEC.376; P.L.44-2009, SEC.9.*

#### **IC 12-7-2-46**

##### **County director**

Sec. 46. "County director" refers to a director of a county office of the division of family resources.

*As added by P.L.2-1992, SEC.1. Amended by P.L.4-1993, SEC.21; P.L.5-1993, SEC.34; P.L.145-2006, SEC.42; P.L.146-2008, SEC.377; P.L.44-2009, SEC.10.*

#### **IC 12-7-2-46.2**

##### **County home**

Sec. 46.2. "County home", for purposes of IC 12-20, means a residential facility owned, staffed, maintained, and operated by a county government for eligible county residents who are able to perform activities of daily living with little or no assistance, including the following activities:

(1) Bathing.

- (2) Dressing.
- (3) Grooming.
- (4) Walking.
- (5) Using the toilet.
- (6) Eating.

*As added by P.L.51-1996, SEC.5.*

#### **IC 12-7-2-46.5**

##### **Court**

Sec. 46.5. "Court", for purposes of IC 12-17.2, means a circuit or superior court.

*As added by P.L.20-1992, SEC.13 and P.L.81-1992, SEC.13.*

*Amended by P.L.1-1993, SEC.78; P.L.145-2006, SEC.43.*

#### **IC 12-7-2-47**

##### **Repealed**

*(Repealed by P.L.272-1999, SEC.66.)*

#### **IC 12-7-2-47.5**

##### **Covered entity**

Sec. 47.5. "Covered entity", for purposes of IC 12-15-23.5, has the meaning set forth in IC 12-15-23.5-1.

*As added by P.L.187-2007, SEC.1.*

#### **IC 12-7-2-48**

##### **Covered medical services**

Sec. 48. "Covered medical services", for purposes of IC 12-16-1, has the meaning set forth in IC 12-16-1-2.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-48.5**

##### **Covered outpatient drug**

Sec. 48.5. "Covered outpatient drug", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-4.5.

*As added by P.L.107-2002, SEC.5.*

#### **IC 12-7-2-49**

##### **Repealed**

*(Repealed by P.L.272-1999, SEC.66.)*

#### **IC 12-7-2-50**

##### **Repealed**

*(Repealed by P.L.272-1999, SEC.66.)*

#### **IC 12-7-2-51**

##### **Creditor**

Sec. 51. "Creditor", for purposes of IC 12-20-25, has the meaning set forth in IC 12-20-25-3.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-51.4****Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-51.5****Repealed**

*(Repealed by P.L.1-1993, SEC.79; P.L.61-1993, SEC.67; P.L.136-1993, SEC.24.)*

**IC 12-7-2-51.7****Criteria**

Sec. 51.7. "Criteria", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-5.

*As added by P.L.1-1993, SEC.81.*

**IC 12-7-2-51.8****Cross-indicated drug**

Sec. 51.8. "Cross-indicated drug", for purposes of IC 12-15-35.5, has the meaning set forth in IC 12-15-35.5-2.

*As added by P.L.6-2002, SEC.1 and P.L.107-2002, SEC.6.*

**IC 12-7-2-51.9****Cross-disability**

Sec. 51.9. "Cross-disability", for purposes of IC 12-12-8, has the meaning set forth in IC 12-12-8-3.

*As added by P.L.151-1995, SEC.4. Amended by P.L.272-1999, SEC.15.*

**IC 12-7-2-52****Custodial authority of a building**

Sec. 52. "Custodial authority of a building", for purposes of the following statutes, means the person authorized to contract for the provision of vending services in the building:

(1) IC 12-12-5.

(2) IC 12-12-6.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-52.2****Crowd out**

Sec. 52.2. "Crowd out", for purposes of IC 12-17.6, has the meaning set forth in IC 12-17.6-1-2.

*As added by P.L.273-1999, SEC.163. Amended by P.L.283-2001, SEC.9; P.L.255-2003, SEC.8.*

**IC 12-7-2-53****Dangerous**

Sec. 53. "Dangerous", for purposes of IC 12-26, means a condition in which an individual as a result of mental illness, presents a substantial risk that the individual will harm the individual or others.

*As added by P.L.2-1992, SEC.1.*

### **IC 12-7-2-53.2**

#### **Dangerous felony**

Sec. 53.2. "Dangerous felony", for purposes of IC 12-17.2, means one (1) or more of the following felonies:

- (1) Murder (IC 35-42-1-1).
- (2) Attempted murder (IC 35-41-5-1).
- (3) Voluntary manslaughter (IC 35-42-1-3).
- (4) Involuntary manslaughter (IC 35-42-1-4).
- (5) Reckless homicide (IC 35-42-1-5).
- (6) Aggravated battery (IC 35-42-2-1.5).
- (7) Kidnapping (IC 35-42-3-2).
- (8) Rape (IC 35-42-4-1).
- (9) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
- (10) Child molesting (IC 35-42-4-3).
- (11) Sexual misconduct with a minor as a Class A felony (for a crime committed before July 1, 2014) or a Level 1 felony (for a crime committed after June 30, 2014) under IC 35-42-4-9(a)(2) or a Class B felony (for a crime committed before July 1, 2014) or a Level 2 felony (for a crime committed after June 30, 2014) under IC 35-42-4-9(b)(2).
- (12) Robbery as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2 or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-42-5-1).
- (13) Burglary as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2 or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-43-2-1).
- (14) Battery as a felony (IC 35-42-2-1).
- (15) Domestic battery (IC 35-42-2-1.3).
- (16) Strangulation (IC 35-42-2-9).
- (17) Criminal confinement (IC 35-42-3-3).
- (18) Sexual battery (IC 35-42-4-8).
- (19) A felony committed in another jurisdiction that is substantially similar to a felony in this section.
- (20) An attempt to commit or a conspiracy to commit an offense listed in subdivisions (1) through (19).

*As added by P.L.287-2013, SEC.2. Amended by P.L.168-2014, SEC.27.*

### **IC 12-7-2-54**

#### **Repealed**

*(Repealed by P.L.20-1992, SEC.47.)*

### **IC 12-7-2-55**

#### **Repealed**

*(Repealed by P.L.20-1992, SEC.47.)*

### **IC 12-7-2-55.1**

#### **Repealed**

*(Repealed by P.L.28-2012, SEC.1.)*

**IC 12-7-2-55.8**

**"Decertify"**

Sec. 55.8. "Decertify", for purposes of IC 12-17.2-3.5, means to remove, for any period of less than two (2) years, a provider's eligibility to receive a voucher payment.

*As added by P.L.225-2013, SEC.1.*

**IC 12-7-2-56**

**Repealed**

*(Repealed by P.L.20-1992, SEC.47.)*

**IC 12-7-2-56.5**

**Repealed**

*(Repealed by P.L.1-2010, SEC.156.)*

**IC 12-7-2-57**

**Delinquent child**

Sec. 57. "Delinquent child", for purposes of the following statutes, has the meaning set forth in IC 31-37-1 and IC 31-37-2:

- (1) IC 12-13.
- (2) IC 12-14.
- (3) IC 12-15.
- (4) IC 12-19.

*As added by P.L.2-1992, SEC.1. Amended by P.L.1-1997, SEC.51; P.L.145-2006, SEC.44.*

**IC 12-7-2-57.5**

**Department**

Sec. 57.5. "Department", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

*As added by P.L.2-1997, SEC.30. Amended by P.L.90-2002, SEC.338; P.L.234-2005, SEC.12; P.L.146-2008, SEC.378.*

**IC 12-7-2-58**

**Dependent child**

Sec. 58. (a) "Dependent child", for purposes of the statutes listed in subsection (b), means a needy individual who satisfies either of the following conditions:

- (1) The individual is less than sixteen (16) years of age.
- (2) The individual is less than eighteen (18) years of age and the county office that has jurisdiction of the individual finds all of the following:
  - (A) The individual regularly attends school.
  - (B) The individual has been deprived of parental support or care because of a parent's:
    - (i) death;
    - (ii) continued absence from the home; or
    - (iii) physical or mental incapacity.

(C) The individual's parent or other relative who is legally responsible for the child's support is not able to provide adequately for the individual without public assistance.

(D) The individual is living in the home of at least one (1) of the following relatives:

- (i) The individual's parent.
- (ii) The individual's sibling.
- (iii) The individual's grandparent.
- (iv) The individual's stepparent.
- (v) The individual's stepbrother or stepsister.
- (vi) The individual's aunt or uncle.

(b) This section applies to the following statutes:

- (1) IC 12-13.
- (2) IC 12-14.
- (3) IC 12-15.
- (4) IC 12-19.

*As added by P.L.2-1992, SEC.1. Amended by P.L.4-1993, SEC.22; P.L.5-1993, SEC.35; P.L.145-2006, SEC.45.*

#### **IC 12-7-2-59**

##### **Designee**

Sec. 59. "Designee", for purposes of IC 12-10-12, has the meaning set forth in IC 12-10-12-2.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-60**

##### **Destitute child**

Sec. 60. (a) "Destitute child", for purposes of the statutes listed in subsection (b), means an individual:

- (1) who is needy;
- (2) who is not a public ward;
- (3) who is less than eighteen (18) years of age;
- (4) who has been deprived of parental support or care because of a parent's:
  - (A) death;
  - (B) continued absence from the home; or
  - (C) physical or mental incapacity; and
- (5) whose relatives liable for the individual's support are not able to provide adequate care or support for the individual without public assistance; and
- (6) who is in need of foster care, under circumstances that do not require the individual to be made a public ward.

(b) This section applies to the following statutes:

- (1) IC 12-13.
- (2) IC 12-14.
- (3) IC 12-15.
- (4) IC 12-19.

*As added by P.L.2-1992, SEC.1. Amended by P.L.145-2006, SEC.46.*

#### **IC 12-7-2-61**



**Developmental disability**

Sec. 61. (a) Except as provided in subsection (b), "developmental disability" means a severe, chronic disability of an individual that meets all of the following conditions:

- (1) Is attributable to:
  - (A) intellectual disability, cerebral palsy, epilepsy, or autism; or
  - (B) any other condition (other than a sole diagnosis of mental illness) found to be closely related to intellectual disability, because this condition results in similar impairment of general intellectual functioning or adaptive behavior or requires treatment or services similar to those required for a person with an intellectual disability.
- (2) Is manifested before the individual is twenty-two (22) years of age.
- (3) Is likely to continue indefinitely.
- (4) Results in substantial functional limitations in at least three (3) of the following areas of major life activities:
  - (A) Self-care.
  - (B) Understanding and use of language.
  - (C) Learning.
  - (D) Mobility.
  - (E) Self-direction.
  - (F) Capacity for independent living.
  - (G) Economic self-sufficiency.

(b) The definition in subsection (a) does not apply and may not affect services provided to an individual receiving:

- (1) home and community based Medicaid waiver; or
- (2) ICF/MR;

services through the division on June 30, 2011.

*As added by P.L.2-1992, SEC.1. Amended by P.L.23-1993, SEC.37; P.L.229-2011, SEC.107.*

**IC 12-7-2-62****Repealed**

*(Repealed by P.L.99-2007, SEC.224.)*

**IC 12-7-2-63****Repealed**

*(Repealed by P.L.272-1999, SEC.66.)*

**IC 12-7-2-64****Director**

Sec. 64. "Director" refers to the following:

- (1) With respect to a particular division, the director of the division.
- (2) With respect to a particular state institution, the director who has administrative control of and responsibility for the state institution.
- (3) For purposes of IC 12-8-12.5, the term refers to the director

of the division of family resources.

(4) For purposes of IC 12-10-15, the term refers to the director of the division of aging.

(5) For purposes of IC 12-25, the term refers to the director of the division of mental health and addiction.

(6) For purposes of IC 12-26, the term:

(A) refers to the director who has administrative control of and responsibility for the appropriate state institution; and

(B) includes the director's designee.

(7) If subdivisions (1) through (6) do not apply, the term refers to the director of any of the divisions.

*As added by P.L.2-1992, SEC.1. Amended by P.L.73-1998, SEC.1; P.L.215-2001, SEC.25; P.L.2-2005, SEC.45; P.L.234-2005, SEC.13; P.L.141-2006, SEC.16; P.L.145-2006, SEC.47; P.L.1-2007, SEC.107; P.L.146-2008, SEC.379; P.L.110-2010, SEC.17.*

#### **IC 12-7-2-65**

##### **Repealed**

*(Repealed by P.L.99-2007, SEC.224.)*

#### **IC 12-7-2-66**

##### **Repealed**

*(Repealed by P.L.99-2007, SEC.224.)*

#### **IC 12-7-2-67**

##### **Discharge**

Sec. 67. "Discharge", for purposes of IC 12-26, means the final and complete release of an individual with a mental illness from the care, treatment, training, or detention at a facility to which the individual was committed or entered voluntarily for mental illness.

*As added by P.L.2-1992, SEC.1. Amended by P.L.99-2007, SEC.42.*

#### **IC 12-7-2-67.5**

##### **Dispense**

Sec. 67.5. "Dispense", for purposes of IC 12-23-18-8, has the meaning set forth in IC 12-23-18-8(a).

*As added by P.L.131-2014, SEC.1.*

#### **IC 12-7-2-68**

##### **Distressed township**

Sec. 68. "Distressed township", for purposes of IC 12-20-25, has the meaning set forth in IC 12-20-25-4.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-69**

##### **Division**

Sec. 69. (a) "Division", except as provided in subsections (b) and (c), refers to any of the following:

(1) The division of disability and rehabilitative services established by IC 12-9-1-1.

- (2) The division of aging established by IC 12-9.1-1-1.
- (3) The division of family resources established by IC 12-13-1-1.
- (4) The division of mental health and addiction established by IC 12-21-1-1.

(b) The term refers to the following:

(1) For purposes of the following statutes, the division of disability and rehabilitative services established by IC 12-9-1-1:

- (A) IC 12-9.
- (B) IC 12-11.
- (C) IC 12-12.
- (D) IC 12-12.5.
- (E) IC 12-12.7.
- (F) IC 12-15-46-2.
- (G) IC 12-28-5.

(2) For purposes of the following statutes, the division of aging established by IC 12-9.1-1-1:

- (A) IC 12-9.1.
- (B) IC 12-10.
- (C) IC 12-10.5.

(3) For purposes of the following statutes, the division of family resources established by IC 12-13-1-1:

- (A) IC 12-13.
- (B) IC 12-14.
- (C) IC 12-15.
- (D) IC 12-16.
- (E) IC 12-17.2.
- (F) IC 12-18.
- (G) IC 12-19.
- (H) IC 12-20.

(4) For purposes of the following statutes, the division of mental health and addiction established by IC 12-21-1-1:

- (A) IC 12-21.
- (B) IC 12-22.
- (C) IC 12-23.
- (D) IC 12-25.

(c) With respect to a particular state institution, the term refers to the division whose director has administrative control of and responsibility for the state institution.

(d) For purposes of IC 12-24, IC 12-26, and IC 12-27, the term refers to the division whose director has administrative control of and responsibility for the appropriate state institution.

*As added by P.L.2-1992, SEC.1. Amended by P.L.20-1992, SEC.15; P.L.81-1992, SEC.15; P.L.1-1993, SEC.82; P.L.4-1993, SEC.23; P.L.5-1993, SEC.36; P.L.1-1994, SEC.50; P.L.40-1994, SEC.12; P.L.215-2001, SEC.26; P.L.283-2001, SEC.10; P.L.1-2002, SEC.50; P.L.255-2003, SEC.9; P.L.243-2003, SEC.2; P.L.234-2005, SEC.14; P.L.93-2006, SEC.5; P.L.141-2006, SEC.17; P.L.1-2007, SEC.108; P.L.229-2011, SEC.108; P.L.6-2012, SEC.82; P.L.13-2013, SEC.43.*

**IC 12-7-2-69.5****Domestic violence**

Sec. 69.5. "Domestic violence", for purposes of IC 12-18-8, has the meaning set forth in IC 34-6-2-34.5.

*As added by P.L.181-2003, SEC.2.*

**IC 12-7-2-70****Repealed**

*(Repealed by P.L.130-2009, SEC.28.)*

**IC 12-7-2-71****Drug**

Sec. 71. "Drug", for purposes of IC 12-23, means a drug or a controlled substance (as defined in IC 35-48-1).

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-72****Drug abuse**

Sec. 72. "Drug abuse", for purposes of IC 12-23, means:

- (1) psychological or physical dependence on the effect of drugs or harmful substances; or
- (2) abuse of the use of drugs or harmful substances;

that is harmful to the individual or society.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-73****Drug abuser**

Sec. 73. "Drug abuser", for purposes of IC 12-23, means an individual who:

- (1) has developed a psychological or physical dependence on the effects of drugs or harmful substances; or
- (2) abuses the use of drugs or harmful substances;

so that the individual or society is harmed.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-73.2****Drug-disease contraindication**

Sec. 73.2. "Drug-disease contraindication", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-6.

*As added by P.L.75-1992, SEC.6.*

**IC 12-7-2-73.4****Drug-drug interaction**

Sec. 73.4. "Drug-drug interaction", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-7.

*As added by P.L.75-1992, SEC.7.*

**IC 12-7-2-73.5****Repealed**

*(Repealed by P.L.108-2010, SEC.10.)*

**IC 12-7-2-73.6****Drug utilization review or DUR**

Sec. 73.6. "Drug utilization review" or "DUR", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-8.

*As added by P.L.75-1992, SEC.8.*

**IC 12-7-2-74****Early intervention services**

Sec. 74. "Early intervention services", for purposes of IC 12-12.7-2, has the meaning set forth in IC 12-12.7-2-3.

*As added by P.L.2-1992, SEC.1. Amended by P.L.21-1992, SEC.5; P.L.93-2006, SEC.6.*

**IC 12-7-2-74.3****EBT card**

Sec. 74.3. "EBT card", for purposes of IC 12-13-14-15, has the meaning set forth in IC 12-13-14-15(a).

*As added by P.L.197-2013, SEC.4.*

**IC 12-7-2-74.5****EBT program**

Sec. 74.5. "EBT program", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

*As added by P.L.2-1997, SEC.31.*

**IC 12-7-2-75****Repealed**

*(Repealed by P.L.181-2006, SEC.62.)*

**IC 12-7-2-75.7****Eligible child**

Sec. 75.7. "Eligible child", for purposes of IC 12-17.2-3.6, has the meaning set forth in IC 12-17.2-3.6-2.

*As added by P.L.205-2013, SEC.173. Amended by P.L.2-2014, SEC.57.*

**IC 12-7-2-76****Eligible individual**

Sec. 76. (a) "Eligible individual", for purposes of:

- (1) IC 12-10-10, has the meaning set forth in IC 12-10-10-4; and
- (2) IC 12-10-10.5, has the meaning set forth in IC 12-10-10.5-3.

(b) "Eligible individual" has the meaning set forth in IC 12-14-18-1.5 for purposes of the following:

- (1) IC 12-10-6.
- (2) IC 12-14-2.
- (3) IC 12-14-18.
- (4) IC 12-14-19.
- (5) IC 12-15-2.
- (6) IC 12-15-3.

(7) IC 12-16-3.5.

(8) IC 12-20-5.5.

*As added by P.L.2-1992, SEC.1. Amended by P.L.128-1999, SEC.4; P.L.283-2001, SEC.11; P.L.120-2002, SEC.8; P.L.97-2004, SEC.47; P.L.145-2006, SEC.48; P.L.145-2014, SEC.3.*

### **IC 12-7-2-76.2**

#### **Eligible provider**

Sec. 76.2. "Eligible provider", for purposes of IC 12-17.2-3.6, has the meaning set forth in IC 12-17.2-3.6-3.

*As added by P.L.205-2013, SEC.174. Amended by P.L.2-2014, SEC.58.*

### **IC 12-7-2-76.3**

#### **Eligible services**

Sec. 76.3. "Eligible services", for purposes of IC 12-17.2-3.6, has the meaning set forth in IC 12-17.2-3.6-4.

*As added by P.L.205-2013, SEC.175. Amended by P.L.2-2014, SEC.59.*

### **IC 12-7-2-76.5**

#### **Emergency**

Sec. 76.5. (a) "Emergency", for purposes of IC 12-20, means an unpredictable circumstance or a series of unpredictable circumstances that:

- (1) place the health or safety of a household or a member of a household in jeopardy; and
- (2) cannot be remedied in a timely manner by means other than township assistance.

(b) "Emergency", for purposes of IC 12-17.6, has the meaning set forth in IC 12-17.6-1-2.6.

*As added by P.L.51-1996, SEC.6. Amended by P.L.95-2000, SEC.1; P.L.283-2001, SEC.12; P.L.255-2003, SEC.10.*

### **IC 12-7-2-76.6**

#### **Emergency medical condition**

Sec. 76.6. "Emergency medical condition", for purposes of IC 12-15-12, has the meaning set forth in IC 12-15-12-0.3.

*As added by P.L.223-2001, SEC.1.*

### **IC 12-7-2-76.7**

#### **Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

### **IC 12-7-2-76.8**

#### **Employed; employee; employment; employs**

Sec. 76.8. "Employed", "employee", "employment", or "employs", for purposes of IC 12-17.2-3.5, has the meaning set forth in IC 12-17.2-3.5-1.3.

*As added by P.L.18-2003, SEC.3.*

**IC 12-7-2-76.9****Emergency services**

Sec. 76.9. "Emergency services", for purposes of IC 12-15-12, has the meaning set forth in IC 12-15-12-0.5.

*As added by P.L.223-2001, SEC.2.*

**IC 12-7-2-77****Endangered adult**

Sec. 77. "Endangered adult", for purposes of IC 12-10-3, has the meaning set forth in IC 12-10-3-2.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-77.2****"Enforcement action"**

Sec. 77.2. "Enforcement action", for purposes of IC 12-17.2, refers to the following:

(1) Revocation or decertification of eligibility for a voucher payment under IC 12-17.2-3.5.

(2) Denial, suspension, or revocation of a license under IC 12-17.2-4 or IC 12-17.2-5.

*As added by P.L.225-2013, SEC.2.*

**IC 12-7-2-77.5****Estate**

Sec. 77.5. "Estate", for purposes of IC 12-15-9, has the meaning set forth in IC 12-15-9-0.5.

*As added by P.L.152-1995, SEC.1.*

**IC 12-7-2-78****Repealed**

*(Repealed by P.L.40-1994, SEC.83.)*

**IC 12-7-2-78.5****Essential person**

Sec. 78.5. "Essential person", for purposes of IC 12-14, has the meaning set forth in IC 12-14-2-0.5.

*As added by P.L.46-1995, SEC.3.*

**IC 12-7-2-79****Executive authority**

Sec. 79. "Executive authority", for purposes of IC 12-28-3, has the meaning set forth in IC 12-28-3-3.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-80****Repealed**

*(Repealed by P.L.20-1992, SEC.47.)*

**IC 12-7-2-81****Expenses and obligations**

Sec. 81. (a) "Expenses and obligations", for purposes of the statutes listed in subsection (b), refer to expenses, obligations, assistance, and claims:

- (1) of a county office;
- (2) incurred in the administration of the welfare services of the county;
- (3) incurred as provided by law; and
- (4) for:
  - (A) assistance for aged persons in need;
  - (B) assistance to dependent children; and
  - (C) other assistance or services that a county office is authorized by law to allow.

(b) This section applies to the following statutes:

- (1) IC 12-13.
- (2) IC 12-14.
- (3) IC 12-15.
- (4) IC 12-19.

*As added by P.L.2-1992, SEC.1. Amended by P.L.4-1993, SEC.24; P.L.5-1993, SEC.37; P.L.145-2006, SEC.49.*

## **IC 12-7-2-82**

### **Facility**

Sec. 82. "Facility" means the following:

- (1) For purposes of IC 12-17-12, the meaning set forth in IC 12-17-12-3.
- (2) For purposes of IC 12-17-13, the meaning set forth in IC 12-17-13-2.
- (3) For purposes of IC 12-26, a hospital, a health and hospital corporation established under IC 16-22-8, a psychiatric hospital, a community mental health center, another institution, a program, a managed care provider, or a child caring institution:
  - (A) where an individual with a mental illness can receive rehabilitative treatment, or habilitation and care, in the least restrictive environment suitable for the necessary care, treatment, and protection of the individual and others; and
  - (B) that has adequate space and treatment staff appropriate to the needs of the individual as determined by the superintendent of the facility.

The term includes all services, programs, and centers of the facility, wherever located.

- (4) For purposes of IC 12-15-32, the meaning set forth in IC 12-15-32-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.62-1993, SEC.2; P.L.40-1994, SEC.13; P.L.99-2007, SEC.43; P.L.194-2007, SEC.2.*

## **IC 12-7-2-82.2**

### **Family or household member**

Sec. 82.2. "Family or household member", for purposes of IC 12-18-8, has the meaning set forth in IC 12-18-8-3.

*As added by P.L.181-2003, SEC.3.*



**IC 12-7-2-82.3****Repealed**

*(Repealed by P.L.138-2007, SEC.93.)*

**IC 12-7-2-82.4****Family planning services**

Sec. 82.4. "Family planning services", for purposes of IC 12-15-46-1, has the meaning set forth in IC 12-15-46-1(a).

*As added by P.L.160-2011, SEC.2. Amended by P.L.6-2012, SEC.83.*

**IC 12-7-2-82.5****Family support program**

Sec. 82.5. "Family support program", for purposes of IC 12-8-14, has the meaning set forth in IC 12-8-14-1.

*As added by P.L.137-1993, SEC.1. Amended by P.L.272-1999, SEC.17.*

**IC 12-7-2-82.7****Federal act**

Sec. 82.7. "Federal act", for purposes of IC 12-12-8, has the meaning set forth in IC 12-12-8-3.2.

*As added by P.L.217-2005, SEC.3.*

**IC 12-7-2-83****Federal department**

Sec. 83. "Federal department", for purposes of IC 12-26-9, has the meaning set forth in IC 12-26-9-1.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-84****Federal facility**

Sec. 84. "Federal facility", for purposes of IC 12-26-9, has the meaning set forth in IC 12-26-9-2.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-85****Federal income poverty level**

Sec. 85. "Federal income poverty level", for purposes of IC 12-15-2, has the meaning set forth in IC 12-15-2-1.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-85.1****Fertilization**

Sec. 85.1. "Fertilization", for purposes of IC 12-15-46-1, has the meaning set forth in IC 12-15-46-1(b).

*As added by P.L.160-2011, SEC.3. Amended by P.L.6-2012, SEC.84.*

**IC 12-7-2-85.2****Final judgment**

Sec. 85.2. "Final judgment", for purposes of IC 12-18-8, has the

meaning set forth in IC 12-18-8-4.  
*As added by P.L.181-2003, SEC.4.*

### **IC 12-7-2-85.3**

#### **Financial institution**

Sec. 85.3. "Financial institution", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.  
*As added by P.L.257-1997(ss), SEC.3. Amended by P.L.145-2006, SEC.50.*

### **IC 12-7-2-85.4**

#### **Federal public benefit**

Sec. 85.4. "Federal public benefit", for purposes of IC 12-32-1, has the meaning set forth in IC 12-32-1-2.  
*As added by P.L.171-2011, SEC.10.*

### **IC 12-7-2-85.5**

#### **Repealed**

*(Repealed by P.L.108-1997, SEC.10.)*

### **IC 12-7-2-86**

#### **Fiscal body**

Sec. 86. "Fiscal body", for purposes of IC 12-20, has the meaning set forth in IC 36-1-2-6.  
*As added by P.L.2-1992, SEC.1.*

### **IC 12-7-2-87**

#### **Flight or fled**

Sec. 87. "Flight" or "fled", for purposes of IC 12-28-3, has the meaning set forth in IC 12-28-3-1.  
*As added by P.L.2-1992, SEC.1.*

### **IC 12-7-2-87.8**

#### **Food retailer**

Sec. 87.8. "Food retailer", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.  
*As added by P.L.257-1997(ss), SEC.4.*

### **IC 12-7-2-88**

#### **Forcible felony**

Sec. 88. "Forcible felony", for purposes of IC 12-23, has the meaning set forth in IC 35-31.5-2-138.  
*As added by P.L.2-1992, SEC.1. Amended by P.L.114-2012, SEC.30.*

### **IC 12-7-2-89**

#### **Foster care**

Sec. 89. (a) "Foster care", for purposes of the statutes listed in subsection (b), means living in a place licensed under IC 31-27.  
(b) This section applies to the following statutes:  
(1) IC 12-13.

(2) IC 12-14.

(3) IC 12-15.

(4) IC 12-19.

*As added by P.L.2-1992, SEC.1. Amended by P.L.81-1992, SEC.16; P.L.1-1993, SEC.83; P.L.145-2006, SEC.51.*

#### **IC 12-7-2-90**

##### **Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

#### **IC 12-7-2-91**

##### **Fund**

Sec. 91. "Fund" means the following:

(1) For purposes of IC 12-12-1-9, the fund described in IC 12-12-1-9.

(2) For purposes of IC 12-15-20, the meaning set forth in IC 12-15-20-1.

(3) For purposes of IC 12-17-12, the meaning set forth in IC 12-17-12-4.

(4) For purposes of IC 12-17.2-3.6, the meaning set forth in IC 12-17.2-3.6-5.

(5) For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-3.

(6) For purposes of IC 12-23-2, the meaning set forth in IC 12-23-2-1.

(7) For purposes of IC 12-23-18, the meaning set forth in IC 12-23-18-4.

(8) For purposes of IC 12-24-6, the meaning set forth in IC 12-24-6-1.

(9) For purposes of IC 12-24-14, the meaning set forth in IC 12-24-14-1.

(10) For purposes of IC 12-30-7, the meaning set forth in IC 12-30-7-3.

*As added by P.L.2-1992, SEC.1. Amended by P.L.36-1994, SEC.12; P.L.91-1996, SEC.3; P.L.273-1999, SEC.164; P.L.273-1999, SEC.60; P.L.14-2000, SEC.27; P.L.11-2003, SEC.1; P.L.146-2008, SEC.380; P.L.130-2009, SEC.16; P.L.205-2013, SEC.176; P.L.2-2014, SEC.60.*

#### **IC 12-7-2-91.4**

##### **Gatekeeper**

Sec. 91.4. "Gatekeeper", for purposes of IC 12-24, IC 12-25, and IC 12-26, means an entity identified in IC 12-24-12-10 that is actively involved in the evaluation and planning of and treatment for a committed individual beginning after the commitment through the planning of the individual's transition back into the community, including case management services for the individual in the community.

*As added by P.L.6-1995, SEC.3. Amended by P.L.108-1996, SEC.1.*

**IC 12-7-2-92****Governmental entity**

Sec. 92. "Governmental entity", for purposes of IC 12-10-3, has the meaning set forth in IC 12-10-3-3.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-93****Governor**

Sec. 93. "Governor", for purposes of IC 12-28-3, has the meaning set forth in IC 12-28-3-3.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-93.7****Grant**

Sec. 93.7. "Grant", for purposes of IC 12-17.2-3.6, has the meaning set forth in IC 12-17.2-3.6-6.

*As added by P.L.205-2013, SEC.177. Amended by P.L.2-2014, SEC.61.*

**IC 12-7-2-94****Grantee agency**

Sec. 94. "Grantee agency", for purposes of IC 12-8-10, has the meaning set forth in IC 12-8-10-2.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-95****Grant-in-aid**

Sec. 95. (a) "Grant-in-aid", for purposes of the statutes listed in subsection (b), means any money paid by the federal government to the state or any money paid by the state to a county for the purpose of defraying any of the expenses, claims, allowances, assistance, or obligations authorized by this title.

(b) This section applies to the following statutes:

- (1) IC 12-13.
- (2) IC 12-14.
- (3) IC 12-15.
- (4) IC 12-19.

*As added by P.L.2-1992, SEC.1. Amended by P.L.145-2006, SEC.52.*

**IC 12-7-2-96****Gravely disabled**

Sec. 96. "Gravely disabled", for purposes of IC 12-26, means a condition in which an individual, as a result of mental illness, is in danger of coming to harm because the individual:

- (1) is unable to provide for that individual's food, clothing, shelter, or other essential human needs; or
- (2) has a substantial impairment or an obvious deterioration of that individual's judgment, reasoning, or behavior that results in the individual's inability to function independently.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-97****Repealed**

*(Repealed by P.L.27-1992, SEC.30.)*

**IC 12-7-2-98****Group**

Sec. 98. "Group", for purposes of IC 12-8-10, has the meaning set forth in IC 12-8-10-3.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-98.2****"Group size"**

Sec. 98.2. "Group size", for purposes of IC 12-17.2-3.5, means the number of children who routinely work, learn, eat, sleep, and play together inside and outside a facility where a provider operates a child care program.

*As added by P.L.171-2014, SEC.1.*

**IC 12-7-2-98.5****Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-99****A person with a disability**

Sec. 99. "A person with a disability" means, for purposes of the following statutes, an individual who has a physical or mental disability and meets the program eligibility requirements of the division of disability and rehabilitative services:

(1) IC 12-8-1.5-10.

(2) IC 12-12-1.

(3) IC 12-12-6.

*As added by P.L.2-1992, SEC.1. Amended by P.L.138-1993, SEC.1; P.L.23-1993, SEC.38; P.L.4-1993, SEC.25; P.L.5-1993, SEC.38; P.L.272-1999, SEC.18; P.L.141-2006, SEC.18; P.L.160-2012, SEC.9.*

**IC 12-7-2-100****Repealed**

*(Repealed by P.L.21-1992, SEC.16.)*

**IC 12-7-2-101****Harmful substance**

Sec. 101. "Harmful substance", for purposes of IC 12-23, means any substance used by an individual to produce the effect of a controlled substance, although the substance is not classified as a controlled substance under IC 35-48.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-102****Repealed**

*(Repealed by P.L.40-1994, SEC.83.)*

### **IC 12-7-2-103**

#### **Health facility**

Sec. 103. "Health facility" means the following:

- (1) For purposes of IC 12-10-5.5, the meaning set forth in IC 12-10-5.5-2.
- (2) For purposes of IC 12-10-12, the meaning set forth in IC 12-10-12-3.

*As added by P.L.2-1992, SEC.1. Amended by P.L.139-1993, SEC.1; P.L.106-1997, SEC.2.*

### **IC 12-7-2-103.3**

#### **Health maintenance organization**

Sec. 103.3. "Health maintenance organization", for purposes of IC 12-15-39.6, has the meaning set forth in IC 27-13-1-19.

*As added by P.L.97-2004, SEC.48.*

### **IC 12-7-2-103.5**

#### **Health related services**

Sec. 103.5. "Health related services":

- (1) for purposes of IC 12-10-15, has the meaning set forth in IC 12-10-15-2; and
- (2) for purposes of IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-5.

*As added by P.L.73-1998, SEC.2. Amended by P.L.255-2001, SEC.4; P.L.141-2006, SEC.19.*

### **IC 12-7-2-104**

#### **Repealed**

*(Repealed by P.L.1-2007, SEC.248.)*

### **IC 12-7-2-104.5**

#### **Holocaust victim's settlement payment**

Sec. 104.5. "Holocaust victim's settlement payment" has the meaning set forth in IC 12-14-18-1.7 for purposes of the following:

- (1) IC 12-10-6.
- (2) IC 12-14-2.
- (3) IC 12-14-18.
- (4) IC 12-14-19.
- (5) IC 12-15-2.
- (6) IC 12-15-3.
- (7) IC 12-16-3.5.
- (8) IC 12-20-5.5.

*As added by P.L.128-1999, SEC.5. Amended by P.L.283-2001, SEC.13; P.L.120-2002, SEC.9; P.L.97-2004, SEC.49; P.L.145-2006, SEC.53.*

### **IC 12-7-2-105**

#### **Home care services**

Sec. 105. "Home care services", for purposes of IC 12-10-13, has the meaning set forth in IC 12-10-13-3.  
*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-106**

**Repealed**

*(Repealed by P.L.181-2006, SEC.62.)*

**IC 12-7-2-107**

**Repealed**

*(Repealed by P.L.181-2006, SEC.62.)*

**IC 12-7-2-108**

**Home health agency**

Sec. 108. "Home health agency", for purposes of IC 12-15-34, has the meaning set forth in IC 12-15-34-1.  
*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-109**

**Home health services**

Sec. 109. "Home health services", for purposes of IC 12-15-34, has the meaning set forth in IC 12-15-34-2.  
*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-109.5**

**Hospice**

Sec. 109.5. "Hospice", for purposes of IC 12-15-40, has the meaning set forth in IC 12-15-40-2.  
*As added by P.L.24-1997, SEC.8.*

**IC 12-7-2-109.6**

**Hospice program**

Sec. 109.6. "Hospice program", for purposes of IC 12-15-40, has the meaning set forth in IC 12-15-40-3.  
*As added by P.L.24-1997, SEC.9.*

**IC 12-7-2-109.7**

**Hospice program patient**

Sec. 109.7. "Hospice program patient", for purposes of IC 12-15-40, has the meaning set forth in IC 12-15-40-4.  
*As added by P.L.24-1997, SEC.10.*

**IC 12-7-2-109.8**

**Hospice services**

Sec. 109.8. "Hospice services", for purposes of IC 12-15-5 and IC 12-15-40, has the meaning set forth in IC 12-15-40-5.  
*As added by P.L.24-1997, SEC.11.*

**IC 12-7-2-110**

**Hospital**

Sec. 110. "Hospital" means the following:

- (1) For purposes of IC 12-15-11.5, the meaning set forth in IC 12-15-11.5-1.
- (2) For purposes of IC 12-15-18, the meaning set forth in IC 12-15-18-2.
- (3) For purposes of IC 12-16, except IC 12-16-1, the term refers to a hospital licensed under IC 16-21.

*As added by P.L.2-1992, SEC.1. Amended by P.L.2-1993, SEC.75; P.L.142-2000, SEC.1; P.L.283-2001, SEC.14; P.L.120-2002, SEC.10; P.L.255-2003, SEC.11.*

#### **IC 12-7-2-110.5**

##### **Household**

Sec. 110.5. "Household", for purposes of IC 12-20, means any of the following:

- (1) An individual living alone.
- (2) A family related by blood.
- (3) A group of individuals living together at one (1) residence as a domestic unit with mutual economic dependency.

*As added by P.L.51-1996, SEC.7.*

#### **IC 12-7-2-110.7**

##### **Housing with services establishment**

Sec. 110.7. "Housing with services establishment", for purposes of IC 12-10-15, has the meaning set forth in IC 12-10-15-3.

*As added by P.L.73-1998, SEC.3.*

#### **IC 12-7-2-111**

##### **Immediate family**

Sec. 111. (a) "Immediate family", for purposes of the statutes listed in subsection (b), means the following:

- (1) If a Medicaid applicant is married, the applicant's spouse and dependent children less than twenty-one (21) years of age.
- (2) If a Medicaid applicant is not married, the following:
  - (A) If the applicant is divorced, the parent having custody.
  - (B) If the applicant is less than twenty-one (21) years of age:
    - (i) the parent having custody; and
    - (ii) the dependent children less than twenty-one (21) years of age of the parent or parents.
  - (C) If clauses (A) and (B) do not apply, the applicant's parents.

(b) This section applies to the following statutes:

- (1) IC 12-14-1 through IC 12-14-9.5.
- (2) IC 12-15, except IC 12-15-32, IC 12-15-33, and IC 12-15-34.

*As added by P.L.2-1992, SEC.1. Amended by P.L.273-1999, SEC.75.*

#### **IC 12-7-2-112**

##### **Incapacitated**

Sec. 112. "Incapacitated", for purposes of IC 12-23, means having



been judged incapacitated under IC 29-3 by a court.  
*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-113**

##### **Incapacitated by alcohol**

Sec. 113. "Incapacitated by alcohol", for purposes of IC 12-23, means that an individual, as the result of the use of alcohol, has the individual's judgment impaired and is incapable of realizing and making a rational decision with respect to the individual's need for treatment.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-114**

##### **Incapacitated individual**

Sec. 114. "Incapacitated individual", for purposes of IC 12-10-7, has the meaning set forth in IC 12-10-7-1.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-115**

##### **Indebtedness**

Sec. 115. "Indebtedness", for purposes of IC 12-20-25, has the meaning set forth in IC 12-20-25-5.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-116**

##### **Indigent adult**

Sec. 116. "Indigent adult", for purposes of IC 12-10-7, has the meaning set forth in IC 12-10-7-2.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-117**

##### **Repealed**

*(Repealed by P.L.146-2008, SEC.804.)*

#### **IC 12-7-2-117.1**

##### **Individual in need of self-directed in-home care**

Sec. 117.1. "Individual in need of self-directed in-home care", for purposes of IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-6.

*As added by P.L.255-2001, SEC.5. Amended by P.L.141-2006, SEC.20.*

#### **IC 12-7-2-117.2**

##### **Repealed**

*(Repealed by P.L.272-1999, SEC.66.)*

#### **IC 12-7-2-117.3**

##### **Individual with a disability; individual with a significant disability**

Sec. 117.3. (a) "Individual with a disability", for purposes of IC 12-12-8, has the meaning set forth in IC 12-12-8-3.4.

(b) "Individual with a disability", for purposes of IC 12-10-10, has the meaning set forth in IC 12-10-10-3.

(c) "Individual with a significant disability", for purposes of IC 12-12-8, has the meaning set forth in IC 12-12-8-3.6.

*As added by P.L.217-2005, SEC.4. Amended by P.L.99-2007, SEC.44.*

#### **IC 12-7-2-117.4**

##### **Repealed**

*(Repealed by P.L.99-2007, SEC.224.)*

#### **IC 12-7-2-117.6**

##### **Individual with a mental illness**

Sec. 117.6. "Individual with a mental illness", for purposes of IC 12-21-2 and IC 12-24-17, means an individual who:

- (1) has a psychiatric disorder that substantially impairs the individual's mental health; and
- (2) requires care, treatment, training, or detention:
  - (A) because of the psychiatric disorder; or
  - (B) for the welfare of the individual or others of the community in which the individual resides.

*As added by P.L.99-2007, SEC.45. Amended by P.L.143-2011, SEC.6.*

#### **IC 12-7-2-117.8**

##### **Infants and toddlers with disabilities**

Sec. 117.8. "Infants and toddlers with disabilities", for purposes of IC 12-12.7-2, has the meaning set forth in IC 12-12.7-2-4.

*As added by P.L.99-2007, SEC.46.*

#### **IC 12-7-2-118**

##### **Repealed**

*(Repealed by P.L.283-2001, SEC.40.)*

#### **IC 12-7-2-118.3**

##### **Repealed**

*(Repealed by P.L.138-2014, SEC.1.)*

#### **IC 12-7-2-118.5**

##### **Repealed**

*(Repealed by P.L.1-2010, SEC.156.)*

#### **IC 12-7-2-118.8**

##### **Institution**

Sec. 118.8. "Institution", for purposes of IC 12-10-11.5, has the meaning set forth in IC 12-10-11.5-1.

*As added by P.L.274-2003, SEC.3.*

#### **IC 12-7-2-119**

##### **Institution for the mentally diseased**

Sec. 119. "Institution for the mentally diseased", for purposes of IC 12-15-2-9, has the meaning set forth in IC 12-15-2-9.  
*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-119.5**

##### **"Institutional provider"**

Sec. 119.5. "Institutional provider", for purposes of IC 12-15-13-4, has the meaning set forth in IC 12-15-13-4(a).  
*As added by P.L.229-2011, SEC.109.*

#### **IC 12-7-2-120**

##### **Insurer**

Sec. 120. (a) "Insurer", for purposes of the statutes listed in subsection (b), means an insurance company, a health maintenance organization (as defined in IC 27-13-1-19), a self-funded employee benefit plan, a pension fund, a retirement system, or a similar entity that:

- (1) does business in Indiana; and
  - (2) is under an obligation to make payments for medical services as a result of injury, illness, or disease suffered by an individual.
- (b) This section applies to the following statutes:
- (1) IC 12-14-1 through IC 12-14-9.5.
  - (2) IC 12-15, except IC 12-15-32, IC 12-15-33, and IC 12-15-34.

*As added by P.L.2-1992, SEC.1. Amended by P.L.26-1994, SEC.2; P.L.273-1999, SEC.76.*

#### **IC 12-7-2-120.5**

##### **Interim period**

Sec. 120.5. "Interim period", for purposes of IC 12-20-27, has the meaning set forth in IC 12-20-27-1.5.  
*As added by P.L.51-1996, SEC.8.*

#### **IC 12-7-2-121**

##### **Repealed**

*(Repealed by P.L.1-1993, SEC.86.)*

#### **IC 12-7-2-121.5**

##### **Intervention**

Sec. 121.5. "Intervention", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-9.  
*As added by P.L.75-1992, SEC.9.*

#### **IC 12-7-2-122**

##### **Intoxicated**

Sec. 122. "Intoxicated", for purposes of IC 12-23, means the state of an individual in which the individual's mental or physical functioning is substantially impaired as a result of the use of alcohol, drugs, or harmful substances.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-122.3**

**Knew or know**

Sec. 122.3. "Knew" or "know", for purposes of IC 12-15-23, means that a person, regarding information:

- (1) has actual knowledge of information;
- (2) acts in deliberate ignorance of the truth or falsity of the information; or
- (3) acts in reckless disregard of the truth or falsity of the information.

*As added by P.L.79-2007, SEC.2.*

**IC 12-7-2-122.5**

**Legal representative**

Sec. 122.5. "Legal representative", for purposes of IC 12-10-13, has the meaning set forth in IC 12-10-13-3.3.

*As added by P.L.139-1993, SEC.2.*

**IC 12-7-2-122.9**

**Licensed health professional**

Sec. 122.9. "Licensed health professional", for purposes of IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-7.

*As added by P.L.255-2001, SEC.6. Amended by P.L.141-2006, SEC.21.*

**IC 12-7-2-123**

**Repealed**

*(Repealed by P.L.20-1992, SEC.47.)*

**IC 12-7-2-123.2**

**Licensee**

Sec. 123.2. "Licensee", for the purposes of IC 12-17.2, means a person who holds a valid license issued under IC 12-17.2.

*As added by P.L.20-1992, SEC.18; P.L.81-1992, SEC.19. Amended by P.L.1-1993, SEC.87; P.L.145-2006, SEC.54.*

**IC 12-7-2-124**

**Life threatening emergency**

Sec. 124. "Life threatening emergency", for purposes of IC 12-10-3, has the meaning set forth in IC 12-10-3-4.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-124.5**

**Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-124.6**

**Repealed**

*(Repealed by P.L.44-2009, SEC.36.)*

**IC 12-7-2-124.7****Local domestic violence fatality review team**

Sec. 124.7. "Local domestic violence fatality review team", for purposes of IC 12-18-8, has the meaning set forth in IC 12-18-8-5.  
*As added by P.L.181-2003, SEC.5.*

**IC 12-7-2-124.8****Repealed**

*(Repealed by P.L.44-2009, SEC.36.)*

**IC 12-7-2-125****Long term care**

Sec. 125. "Long term care", for purposes of IC 12-15-39.6, has the meaning set forth in IC 12-15-39.6-1.  
*As added by P.L.2-1992, SEC.1. Amended by P.L.24-1997, SEC.12.*

**IC 12-7-2-125.5****Long term care facility**

Sec. 125.5. (a) "Long term care facility", for purposes of IC 12-15-39.6, has the meaning set forth in IC 12-15-39.6-2.

(b) "Long term care facility", for purposes of IC 12-10-13, has the meaning set forth in IC 12-10-13-3.6.

*As added by P.L.139-1993, SEC.3. Amended by P.L.75-1994, SEC.1; P.L.24-1997, SEC.13.*

**IC 12-7-2-126****Long term care insurance**

Sec. 126. "Long term care insurance", for purposes of IC 12-15-39.6, has the meaning set forth in IC 12-15-39.6-3.  
*As added by P.L.2-1992, SEC.1. Amended by P.L.24-1997, SEC.14.*

**IC 12-7-2-126.1****Repealed**

*(Repealed by P.L.28-2012, SEC.2.)*

**IC 12-7-2-126.3****Long term care services eligibility screen**

Sec. 126.3. "Long term care services eligibility screen", for purposes of IC 12-10-10, has the meaning set forth in IC 12-10-10-4.5.

*As added by P.L.150-1995, SEC.3.*

**IC 12-7-2-126.5****Low income utilization rate**

Sec. 126.5. "Low income utilization rate", for purposes of IC 12-15-16-6, has the meaning set forth in IC 12-15-16-6(a).

*As added by P.L.277-1993(ss), SEC.68.*

**IC 12-7-2-127**

**Managed care provider**

Sec. 127. "Managed care provider", for purposes of IC 12-14-1 through IC 12-14-9.5 and IC 12-15 (except IC 12-15-21, IC 12-15-33, and IC 12-15-34) means either of the following:

- (1) A physician licensed under IC 25-22.5 who:
  - (A) is primarily engaged in general practice, family practice, internal medicine, pediatric medicine, or obstetrics and gynecology; and
  - (B) has entered into a provider agreement for the provision of physician services under IC 12-15-11-4.
- (2) A partnership, corporation, or other entity that:
  - (A) employs or contracts with physicians licensed under IC 25-22.5 who are primarily engaged in general practice, family practice, internal medicine, pediatric medicine, or obstetrics and gynecology; and
  - (B) has entered into a provider agreement for the provision of physician services under IC 12-15-11-4.

*As added by P.L.2-1992, SEC.1. Amended by P.L.40-1994, SEC.15; P.L.6-1995, SEC.4; P.L.273-1999, SEC.77; P.L.215-2001, SEC.27; P.L.143-2011, SEC.7.*

**IC 12-7-2-127.5****Medicaid inpatient utilization rate**

Sec. 127.5. "Medicaid inpatient utilization rate", for purposes of IC 12-15-16-6, has the meaning set forth in IC 12-15-16-6(b).  
*As added by P.L.277-1993(ss), SEC.69.*

**IC 12-7-2-128****Medicaid program**

Sec. 128. "Medicaid program" refers to the program established under IC 12-15.  
*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-128.5****Medical institution**

Sec. 128.5. "Medical institution", for purposes of IC 12-15-8.5, has the meaning set forth in IC 12-15-8.5-1.  
*As added by P.L.178-2002, SEC.79.*

**IC 12-7-2-129****Member**

Sec. 129. "Member", for purposes of IC 12-8-2.5, has the meaning set forth in IC 12-8-2.5-2.  
*As added by P.L.2-1992, SEC.1. Amended by P.L.160-2012, SEC.10.*

**IC 12-7-2-129.2****Member of the applicant's household**

Sec. 129.2. "Member of the applicant's household", for purposes of IC 12-20-6-0.5, has the meaning set forth in IC 12-20-6-0.5.  
*As added by P.L.2-1996, SEC.231.*

**IC 12-7-2-129.5****Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-130****Mental illness**

Sec. 130. "Mental illness" means the following:

(1) For purposes of IC 12-23-5, IC 12-24, and IC 12-26, a psychiatric disorder that:

(A) substantially disturbs an individual's thinking, feeling, or behavior; and

(B) impairs the individual's ability to function.

The term includes mental retardation, alcoholism, and addiction to narcotics or dangerous drugs.

(2) For purposes of IC 12-28-4 and IC 12-28-5, a psychiatric disorder that:

(A) substantially disturbs an individual's thinking, feeling, or behavior; and

(B) impairs the individual's ability to function.

The term does not include developmental disability.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-131****Repealed**

*(Repealed by P.L.99-2007, SEC.224.)*

**IC 12-7-2-131.3****Missing endangered adult**

Sec. 131.3. "Missing endangered adult", for purposes of IC 12-10-18, means an individual at least eighteen (18) years of age who is reported missing to a law enforcement agency and is, or is believed to be:

(1) a temporary or permanent resident of Indiana;

(2) at a location that cannot be determined by an individual familiar with the missing individual; and

(3) incapable of returning to the missing individual's residence without assistance by reason of:

(A) mental illness;

(B) mental retardation;

(C) dementia; or

(D) another physical or mental incapacity of managing or directing the management of the individual's property or providing or directing the provision of self-care.

*As added by P.L.140-2005, SEC.1.*

**IC 12-7-2-131.5****Monitor**

Sec. 131.5. "Monitor", for the purposes of IC 12-17.2, means observation to determine the licensee's continuing compliance with IC 12-17.2.

*As added by P.L.20-1992, SEC.19; P.L.81-1992, SEC.20. Amended by P.L.1-1993, SEC.88; P.L.145-2006, SEC.55.*

**IC 12-7-2-131.8**

**National criminal history background check**

Sec. 131.8. "National criminal history background check", for purposes of IC 12-17.2, has the meaning set forth in IC 10-13-3-12.  
*As added by P.L.287-2013, SEC.3.*

**IC 12-7-2-132**

**Repealed**

*(Repealed by P.L.272-1999, SEC.66.)*

**IC 12-7-2-132.2**

**"Noninstitutional provider"**

Sec. 132.2. "Noninstitutional provider", for purposes of IC 12-15-13-3.5, has the meaning set forth in IC 12-15-13-3.5(a).  
*As added by P.L.229-2011, SEC.110.*

**IC 12-7-2-132.5**

**Repealed**

*(Repealed by P.L.138-2014, SEC.2.)*

**IC 12-7-2-133**

**Nursing facility**

Sec. 133. "Nursing facility" has the meaning set forth in 42 U.S.C. 1396r(a).  
*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-133.5**

**Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-134**

**Office**

Sec. 134. "Office" means the following:

- (1) Except as provided in subdivisions (2) through (4), the office of Medicaid policy and planning established by IC 12-8-6.5-1.
- (2) For purposes of IC 12-10-13, the meaning set forth in IC 12-10-13-4.
- (3) For purposes of IC 12-15-13, the meaning set forth in IC 12-15-13-0.4.
- (4) For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-4.

*As added by P.L.2-1992, SEC.1. Amended by P.L.108-1997, SEC.1; P.L.58-1998, SEC.1; P.L.273-1999, SEC.165; P.L.283-2001, SEC.15; P.L.255-2003, SEC.12; P.L.117-2008, SEC.1; P.L.160-2012, SEC.11.*



**IC 12-7-2-135****Office of the secretary**

Sec. 135. "Office of the secretary" refers to the office of the secretary of family and social services established by IC 12-8-1.5-1. *As added by P.L.2-1992, SEC.1. Amended by P.L.160-2012, SEC.12.*

**IC 12-7-2-135.3****Ombudsman**

Sec. 135.3. "Ombudsman", for purposes of IC 12-10-13, has the meaning set forth in IC 12-10-13-4.5.

*As added by P.L.139-1993, SEC.4.*

**IC 12-7-2-135.4****Operator**

Sec. 135.4. "Operator", for purposes of IC 12-10-15, has the meaning set forth in IC 12-10-15-4.

*As added by P.L.73-1998, SEC.4.*

**IC 12-7-2-135.5****Overutilization or under utilization**

Sec. 135.5. "Overutilization or under utilization", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-10.

*As added by P.L.75-1992, SEC.10.*

**IC 12-7-2-135.6****Opioid treatment program**

Sec. 135.6. "Opioid treatment program" means a program through which opioid agonist medication is dispensed to an individual in the treatment of opiate addiction and for which certification is required under 42 CFR Part 8.

*As added by P.L.116-2008, SEC.1.*

**IC 12-7-2-135.8****Paths to QUALITY program**

Sec. 135.8. (a) "Paths to QUALITY program", for purposes of IC 12-17.2-2-14.2 and IC 12-17.2-3.6, refers to the program established in IC 12-17.2-2-14.2(b).

(b) "Paths to QUALITY program", for purposes of IC 12-17.2-3.8, has the meaning set forth in IC 12-17.2-3.8-1.

*As added by P.L.205-2013, SEC.178 and P.L.267-2013, SEC.1. Amended by P.L.2-2014, SEC.62.*

**IC 12-7-2-136****Patient**

Sec. 136. "Patient" means the following:

- (1) For purposes of IC 12-24-1-4, an individual who is admitted to a state institution for observation, diagnosis, or treatment.
- (2) For purposes of IC 12-24-7, the meaning set forth in IC 12-24-7-1.
- (3) For purposes of IC 12-24-6, IC 12-24-13, IC 12-24-14, and

IC 12-24-15, an individual with a mental illness, an individual who appears to have a mental illness, or an individual with mental retardation who is:

(A) in or under the supervision and control of a state institution; or

(B) because of mental illness, under the supervision and control of a circuit, superior, or juvenile court.

(4) For purposes of IC 12-24-17, the meaning set forth in IC 12-24-17-2.

(5) For purposes of IC 12-27, an individual receiving mental health services or developmental training. The term includes a client of a service provider.

*As added by P.L.2-1992, SEC.1. Amended by P.L.99-2007, SEC.47.*

### **IC 12-7-2-136.5**

#### **Patient Protection and Affordable Care Act**

Sec. 136.5. "Patient Protection and Affordable Care Act" refers to the federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152), as amended from time to time, and regulations or guidance issued under those acts.

*As added by P.L.160-2011, SEC.4.*

### **IC 12-7-2-137**

#### **Person**

Sec. 137. (a) "Person", except as provided in subsections (b) through (d), means an association, a corporation, a limited liability company, a governmental entity, an individual, or a partnership.

(b) "Person", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

(c) "Person", for purposes of IC 12-17.2, means an individual who is at least twenty-one (21) years of age, a corporation, a partnership, a voluntary association, or other entity.

(d) "Person", for purposes of IC 12-15-2-20, means an individual who is:

(1) at least twenty-one (21) years of age; and

(2) applying for or receiving Medicaid assistance.

*As added by P.L.2-1992, SEC.1. Amended by P.L.20-1992, SEC.20; P.L.81-1992, SEC.21; P.L.1-1993, SEC.89; P.L.8-1993, SEC.181; P.L.257-1997(ss), SEC.5; P.L.145-2006, SEC.56; P.L.197-2013, SEC.5.*

### **IC 12-7-2-137.3**

#### **Personal services attendant**

Sec. 137.3. "Personal services attendant", for purposes of IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-8.

*As added by P.L.255-2001, SEC.7. Amended by P.L.141-2006, SEC.22.*

### **IC 12-7-2-137.7**

**Pharmacist**

Sec. 137.7. "Pharmacist", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-11.

*As added by P.L.75-1992, SEC.11.*

**IC 12-7-2-138****Physician**

Sec. 138. "Physician" means the following:

(1) For purposes of IC 12-10-17.1 and IC 12-15-35, an individual who is licensed to practice medicine in Indiana under IC 25-22.5.

(2) For purposes of IC 12-26, either of the following:

(A) An individual who holds a license to practice medicine under IC 25-22.5.

(B) A medical officer of the United States government who is in Indiana performing the officer's official duties.

*As added by P.L.2-1992, SEC.1. Amended by P.L.75-1992, SEC.12; P.L.255-2001, SEC.8; P.L.141-2006, SEC.23.*

**IC 12-7-2-139****Physician services**

Sec. 139. "Physician services" means the following:

(1) For purposes of IC 12-15-11, the meaning set forth in IC 12-15-11-1.

(2) For purposes of IC 12-15-12, services provided by an individual licensed under IC 25-22.5 while engaged in the practice of medicine (as defined in IC 25-22.5-1-1.1(a)).

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-139.1****Repealed**

*(Repealed by P.L.273-1999, SEC.181.)*

**IC 12-7-2-140****Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-140.5****Plan**

Sec. 140.5. "Plan", for purposes of IC 12-15-44.2, has the meaning set forth in IC 12-15-44.2-1.

*As added by P.L.218-2007, SEC.7. Amended by P.L.3-2008, SEC.90.*

**IC 12-7-2-141****Planning authority**

Sec. 141. "Planning authority", for purposes of IC 12-28-4, has the meaning set forth in IC 12-28-4-2.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-141.2**

**Repealed**

*(Repealed by P.L.128-2012, SEC.4.)*

**IC 12-7-2-142**

**Political subdivision**

Sec. 142. "Political subdivision", for purposes of the following statutes, has the meaning set forth in IC 36-1-2-13:

- (1) IC 12-8.
- (2) IC 12-13-4.
- (3) IC 12-32-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.171-2011, SEC.11.*

**IC 12-7-2-142.5**

**Point of sale terminal**

Sec. 142.5. "Point of sale terminal", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

*As added by P.L.257-1997(ss), SEC.6.*

**IC 12-7-2-142.7**

**Repealed**

*(Repealed by P.L.138-2014, SEC.3.)*

**IC 12-7-2-142.8**

**Post-stabilization care services**

Sec. 142.8. "Post-stabilization care services", for purposes of IC 12-15-12, has the meaning set forth in IC 12-15-12-0.7.

*As added by P.L.223-2001, SEC.3.*

**IC 12-7-2-143**

**Repealed**

*(Repealed by P.L.97-2004, SEC.133.)*

**IC 12-7-2-143.5**

**Preschool**

Sec. 143.5. "Preschool", for purposes of IC 12-17.2, means a program that provides an educational experience through an age appropriate written curriculum for children at least thirty (30) months of age who are not eligible to enter kindergarten and that:

- (1) conducts sessions for not more than four (4) hours a day;
- (2) enrolls children for only one (1) session a day;
- (3) does not serve meals on the premises;
- (4) maintains a child to staff ratio of not more than fifteen (15) children to one (1) staff member;
- (5) supervises children at all times with a person who is at least eighteen (18) years of age; and
- (6) does not operate for more than ten (10) consecutive days.

*As added by P.L.61-1993, SEC.5; P.L.136-1993, SEC.5. Amended by P.L.1-1994, SEC.51.*

**IC 12-7-2-144**

**Preschool child care program**

Sec. 144. "Preschool child care program", for purposes of IC 12-17-13, has the meaning set forth in IC 12-17-13-3.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-144.3****Preventative care services**

Sec. 144.3. "Preventative care services", for purposes of IC 12-15-44.2, has the meaning set forth in IC 12-15-44.2-2.

*As added by P.L.218-2007, SEC.8. Amended by P.L.3-2008, SEC.91.*

**IC 12-7-2-144.7****Primary business**

Sec. 144.7. "Primary business", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

*As added by P.L.257-1997(ss), SEC.7.*

**IC 12-7-2-144.9****Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-145****Private psychiatric institution**

Sec. 145. "Private psychiatric institution", for purposes of IC 12-15-18, has the meaning set forth in IC 12-15-18-3.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-146 Version a****Program**

*Note: This version of section effective until 7-1-2014. See also following version of this section, effective 7-1-2014.*

Sec. 146. "Program" refers to the following:

- (1) For purposes of IC 12-8-12.5, the meaning set forth in IC 12-8-12.5-1.
- (2) For purposes of IC 12-10-7, the adult guardianship services program established by IC 12-10-7-5.
- (3) For purposes of IC 12-10-10, the meaning set forth in IC 12-10-10-5.
- (4) For purposes of IC 12-17.2-2-14.2, the meaning set forth in IC 12-17.2-2-14.2(a).
- (5) For purposes of IC 12-17.2-3.6, the meaning set forth in IC 12-17.2-3.6-7.
- (6) For purposes of IC 12-17.2-3.8, the meaning set forth in IC 12-17.2-3.8-2.
- (7) For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-5.

*As added by P.L.2-1992, SEC.1. Amended by P.L.24-1997, SEC.16; P.L.273-1999, SEC.166; P.L.283-2001, SEC.16; P.L.255-2003, SEC.13; P.L.110-2010, SEC.18; P.L.205-2013, SEC.179; P.L.267-2013, SEC.2; P.L.2-2014, SEC.63.*

## **IC 12-7-2-146 Version b**

### **Program**

*Note: This version of section effective 7-1-2014. See also preceding version of this section, effective until 7-1-2014.*

Sec. 146. "Program" refers to the following:

- (1) For purposes of IC 12-8-12.5, the meaning set forth in IC 12-8-12.5-1.
- (2) For purposes of IC 12-10-7, the adult guardianship services program established by IC 12-10-7-5.
- (3) For purposes of IC 12-10-10, the meaning set forth in IC 12-10-10-5.
- (4) For purposes of IC 12-10-10.5, the meaning set forth in IC 12-10-10.5-4.
- (5) For purposes of IC 12-17.2-2-14.2, the meaning set forth in IC 12-17.2-2-14.2(a).
- (6) For purposes of IC 12-17.2-3.6, the meaning set forth in IC 12-17.2-3.6-7.
- (7) For purposes of IC 12-17.2-3.8, the meaning set forth in IC 12-17.2-3.8-2.
- (8) For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-5.

*As added by P.L.2-1992, SEC.1. Amended by P.L.24-1997, SEC.16; P.L.273-1999, SEC.166; P.L.283-2001, SEC.16; P.L.255-2003, SEC.13; P.L.110-2010, SEC.18; P.L.205-2013, SEC.179; P.L.267-2013, SEC.2; P.L.2-2014, SEC.63; P.L.145-2014, SEC.4.*

## **IC 12-7-2-147**

### **Property**

Sec. 147. "Property", for purposes of IC 12-12-1, has the meaning set forth in IC 35-31.5-2-253.

*As added by P.L.2-1992, SEC.1. Amended by P.L.114-2012, SEC.31.*

## **IC 12-7-2-147.5**

### **Prospective DUR**

Sec. 147.5. "Prospective DUR", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-13.

*As added by P.L.75-1992, SEC.13.*

## **IC 12-7-2-148**

### **Protective services**

Sec. 148. "Protective services", for purposes of IC 12-10-3, has the meaning set forth in IC 12-10-3-5.

*As added by P.L.2-1992, SEC.1.*

## **IC 12-7-2-149**

### **Repealed**

*(Repealed by P.L.241-2003, SEC.21.)*

## **IC 12-7-2-149.1**

### **Provider**

Sec. 149.1. "Provider" means the following:

(1) For purposes of IC 12-10-7, the meaning set forth in IC 12-10-7-3.

(2) For purposes of the following statutes, an individual, a partnership, a corporation, or a governmental entity that is enrolled in the Medicaid program under rules adopted under IC 4-22-2 by the office of Medicaid policy and planning:

(A) IC 12-14-1 through IC 12-14-9.5.

(B) IC 12-15, except IC 12-15-32, IC 12-15-33, and IC 12-15-34.

(C) IC 12-17.6.

(3) Except as provided in subdivisions (4) and (6), for purposes of IC 12-17.2, a person who operates a child care center or child care home under IC 12-17.2.

(4) For purposes of IC 12-17.2-3.5, a person that:

(A) provides child care; and

(B) is directly paid for the provision of the child care under the federal Child Care and Development Fund voucher program administered under 45 CFR 98 and 45 CFR 99.

The term does not include an individual who provides services to a person described in clauses (A) and (B), regardless of whether the individual receives compensation.

(5) For purposes of IC 12-21-1 through IC 12-29-2, an organization:

(A) that:

(i) provides mental health services, as defined under 42 U.S.C. 300x-2(c);

(ii) provides addiction services; or

(iii) provides children's mental health services;

(B) that has entered into a provider agreement with the division of mental health and addiction under IC 12-21-2-7 to provide services in the least restrictive, most appropriate setting; and

(C) that is operated by one (1) of the following:

(i) A city, town, county, or other political subdivision of the state.

(ii) An agency of the state or of the United States.

(iii) A political subdivision of another state.

(iv) A hospital owned or operated by a unit of government or a building authority that is organized for the purpose of constructing facilities to be leased to units of government.

(v) A corporation incorporated under IC 23-7-1.1 (before its repeal August 1, 1991) or IC 23-17.

(vi) An organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(vii) A university or college.

(6) For purposes of IC 12-17.2-2-10, the following:

(A) A person described in subdivision (4).

(B) A child care center licensed under IC 12-17.2-4.

(C) A child care home licensed under IC 12-17.2-5.  
*As added by P.L.241-2003, SEC.2. Amended by P.L.145-2006, SEC.57; P.L.143-2011, SEC.8; P.L.225-2013, SEC.3.*

#### **IC 12-7-2-150**

##### **Psychiatric disorder**

Sec. 150. "Psychiatric disorder", for purposes of section 130(2) of this chapter, means a mental disorder or disease. The term does not include the following:

- (1) Mental retardation.
- (2) A developmental disability.
- (3) Alcoholism.
- (4) Addiction to narcotic or dangerous drugs.

*As added by P.L.2-1992, SEC.1. Amended by P.L.6-1995, SEC.5; P.L.108-1996, SEC.2.*

#### **IC 12-7-2-151**

##### **Psychiatric hospital**

Sec. 151. "Psychiatric hospital", for purposes of section 82 of this chapter, means any of the following:

- (1) A state institution.
- (2) A general hospital:
  - (A) licensed by the state department of health; and
  - (B) that maintains and operates facilities for the observation, care, treatment, and detention of individuals who have a mental illness.
- (3) A private psychiatric hospital licensed by the division of mental health and addiction.

*As added by P.L.2-1992, SEC.1. Amended by P.L.215-2001, SEC.28; P.L.99-2007, SEC.48.*

#### **IC 12-7-2-152**

##### **Repealed**

*(Repealed by P.L.1-1993, SEC.91.)*

#### **IC 12-7-2-153**

##### **Public welfare**

Sec. 153. (a) "Public welfare", for purposes of the statutes listed in subsection (b), means any form of public welfare or social security provided for in the statutes listed in subsection (b). The term does not include direct township assistance as administered by township trustees under IC 12-20.

- (b) This section applies to the following statutes:
- (1) IC 12-13.
  - (2) IC 12-14.
  - (3) IC 12-15.
  - (4) IC 12-19.

*As added by P.L.2-1992, SEC.1. Amended by P.L.73-2005, SEC.6; P.L.145-2006, SEC.58.*



**IC 12-7-2-154****Repealed**

*(Repealed by P.L.20-1992, SEC.47.)*

**IC 12-7-2-154.8****Qualified entity**

Sec. 154.8. "Qualified entity", for purposes of IC 12-15-2.3, has the meaning set forth in IC 12-15-2.3-2.

*As added by P.L.58-1998, SEC.4. Amended by P.L.152-2001, SEC.1; P.L.1-2010, SEC.56.*

**IC 12-7-2-155****Qualified long term care policy**

Sec. 155. "Qualified long term care policy", for purposes of IC 12-15-39.6, has the meaning set forth in IC 12-15-39.6-5.

*As added by P.L.2-1992, SEC.1. Amended by P.L.24-1997, SEC.17.*

**IC 12-7-2-155.3****"Qualified Medicare beneficiary"**

Sec. 155.3. "Qualified Medicare beneficiary", for purposes of IC 12-15-2-26, has the meaning set forth in IC 12-15-2-26(b).

*As added by P.L.278-2013, SEC.1.*

**IC 12-7-2-155.5****"Qualifying individual"**

Sec. 155.5. "Qualifying individual", for purposes of IC 12-15-2-26, has the meaning set forth in IC 12-15-2-26(c).

*As added by P.L.278-2013, SEC.2.*

**IC 12-7-2-156****Reason to believe**

Sec. 156. "Reason to believe", for purposes of IC 12-10-3, has the meaning set forth in IC 12-10-3-6.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-157****Reasonable means of communication**

Sec. 157. "Reasonable means of communication", for purposes of IC 12-27-3, has the meaning set forth in IC 12-27-3-1.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-158****Recipient**

Sec. 158. "Recipient" means the following:

- (1) For purposes of the following statutes, a person who has received or is receiving assistance for the person or another person under any of the following statutes:

- (A) IC 12-10-6.

- (B) IC 12-13.

- (C) IC 12-14.

- (D) IC 12-15.
- (E) IC 12-19.
- (2) For purposes of IC 12-20-10 and IC 12-20-11:
  - (A) a single individual receiving township assistance; or
  - (B) if township assistance is received by a household with at least two (2) individuals, the member of the household most suited to perform available work.

*As added by P.L.2-1992, SEC.1. Amended by P.L.272-1999, SEC.19; P.L.73-2005, SEC.7; P.L.145-2006, SEC.59.*

#### **IC 12-7-2-158.5**

##### **Reentry court program**

Sec. 158.5. "Reentry court program", for purposes of IC 12-14-29, has the meaning set forth in IC 12-14-29-1.

*As added by P.L.92-2005, SEC.1.*

#### **IC 12-7-2-159**

##### **Region**

Sec. 159. "Region", for purposes of IC 12-10-7, has the meaning set forth in IC 12-10-7-4.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-160**

##### **Rehabilitation**

Sec. 160. (a) "Rehabilitation", for purposes of the statutes listed in subsection (b), means a process of providing services to meet the current and future needs of persons with disabilities so that the individuals may prepare for and engage in gainful employment to the extent of their capabilities, as provided in 29 U.S.C. 720.

(b) This section applies to the following statutes:

- (1) IC 12-8-1.5-10.
- (2) IC 12-12-1.
- (3) IC 12-12-3.
- (4) IC 12-12-6.

*As added by P.L.2-1992, SEC.1. Amended by P.L.138-1993, SEC.2; P.L.23-1993, SEC.40; P.L.49-1997, SEC.42; P.L.272-1999, SEC.20; P.L.160-2012, SEC.13.*

#### **IC 12-7-2-161**

##### **Rehabilitation center**

Sec. 161. "Rehabilitation center", for purposes of IC 12-12-3, refers to the rehabilitation center established under IC 12-12-3-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.49-1997, SEC.43.*

#### **IC 12-7-2-162**

##### **Rehabilitation engineering**

Sec. 162. "Rehabilitation engineering", for purposes of IC 12-12-6, has the meaning set forth in IC 12-12-6-1.

*As added by P.L.2-1992, SEC.1.*

### **IC 12-7-2-162.5**

#### **Related**

Sec. 162.5. "Related", for purposes of IC 12-17.2, means any of the following relationships to an individual who is less than eighteen (18) years of age by marriage, blood, or adoption:

- (1) Parent.
- (2) Grandparent.
- (3) Brother.
- (4) Sister.
- (5) Stepparent.
- (6) Stepgrandparent.
- (7) Stepbrother.
- (8) Stepsister.
- (9) First cousin.
- (10) Uncle.
- (11) Aunt.

*As added by P.L.20-1992, SEC.22 and P.L.81-1992, SEC.23.  
Amended by P.L.1-1993, SEC.92; P.L.145-2006, SEC.60.*

### **IC 12-7-2-163**

#### **Repealed**

*(Repealed by P.L.139-1993, SEC.24.)*

### **IC 12-7-2-163.5**

#### **Request for proposals**

Sec. 163.5. "Request for proposals", for purposes of IC 12-8-12, has the meaning set forth in IC 12-8-12-3.

*As added by P.L.46-1995, SEC.4. Amended by P.L.2-1997, SEC.32.*

### **IC 12-7-2-164**

#### **Resident**

Sec. 164. "Resident" has the following meaning:

- (1) For purposes of IC 12-10-15, the meaning set forth in IC 12-10-15-5.
- (2) For purposes of IC 12-16, except IC 12-16-1, an individual who has actually resided in Indiana for at least ninety (90) days.
- (3) For purposes of IC 12-20-8, the meaning set forth in IC 12-20-8-1.
- (4) For purposes of IC 12-24-5, the meaning set forth in IC 12-24-5-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.73-1998, SEC.5; P.L.283-2001, SEC.18; P.L.120-2002, SEC.12; P.L.255-2003, SEC.15.*

### **IC 12-7-2-165**

#### **Residential facility**

Sec. 165. "Residential facility", for purposes of IC 12-28-4 and IC 12-28-5, refers to a residential facility for individuals with a developmental disability.

*As added by P.L.2-1992, SEC.1. Amended by P.L.99-2007, SEC.49;*

*P.L.143-2011, SEC.9.*

#### **IC 12-7-2-166**

##### **Residential facility for individuals with a developmental disability**

Sec. 166. "Residential facility for individuals with a developmental disability", for purposes of IC 12-28-4 and IC 12-28-5, means a facility that provides residential services for individuals with a developmental disability in a program described in IC 12-11-1.1-1(e)(1) or IC 12-11-1.1-1(e)(2).

*As added by P.L.2-1992, SEC.1. Amended by P.L.23-1992, SEC.2; P.L.272-1999, SEC.21; P.L.99-2007, SEC.50.*

#### **IC 12-7-2-167**

##### **Repealed**

*(Repealed by P.L.143-2011, SEC.31.)*

#### **IC 12-7-2-168**

##### **Respite care**

Sec. 168. "Respite care" means, for purposes of IC 12-10-5, temporary care or supervision of an individual with Alzheimer's disease or a related senile dementia that is provided because the individual's family or caretaker is temporarily unable or unavailable to provide needed care.

*As added by P.L.2-1992, SEC.1. Amended by P.L.272-1999, SEC.22; P.L.143-2011, SEC.10; P.L.153-2011, SEC.3.*

#### **IC 12-7-2-169**

##### **Responsible party**

Sec. 169. (a) "Responsible party", for purposes of IC 12-24-6, IC 12-24-13, IC 12-24-14, and IC 12-24-15 means any of the following:

- (1) The patient.
- (2) The parents of the patient if the patient is not more than eighteen (18) years of age.
- (3) The spouse of the patient.
- (4) The estate of the patient.
- (5) A legal guardian of the patient in the guardian's representative capacity.
- (6) A trustee of the patient if the trust authorizes payment for the care, treatment, maintenance, or support of the patient.

(b) The term does not include the children of the patient.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-169.3**

##### **Retailer**

Sec. 169.3. "Retailer", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

*As added by P.L.257-1997(ss), SEC.8.*

#### **IC 12-7-2-169.5**

**Retrospective DUR**

Sec. 169.5. "Retrospective DUR", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-14.

*As added by P.L.75-1992, SEC.14.*

**IC 12-7-2-169.9****School**

Sec. 169.9. "School", for purposes of IC 12-14-2-23, has the meaning set forth in IC 12-14-2-23(b).

*As added by P.L.46-1995, SEC.5.*

**IC 12-7-2-170****School age child care program**

Sec. 170. "School age child care program", for purposes of IC 12-17-12, has the meaning set forth in IC 12-17-12-5.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-171****School corporation**

Sec. 171. "School corporation", for purposes of IC 12-17-12, has the meaning set forth in IC 12-17-12-6.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-172****Secretary**

Sec. 172. (a) Except as provided in subsection (b), "secretary" refers to the secretary of family and social services appointed under IC 12-8-1.5-2.

(b) "Secretary", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

*As added by P.L.2-1992, SEC.1. Amended by P.L.2-1997, SEC.33; P.L.160-2012, SEC.14.*

**IC 12-7-2-172.5****Repealed**

*(Repealed by P.L.1-1993, SEC.93.)*

**IC 12-7-2-173****Repealed**

*(Repealed by P.L.81-1992, SEC.40.)*

**IC 12-7-2-174****Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-174.5****Self-directed in-home health care**

Sec. 174.5. "Self-directed in-home health care", for purposes of IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-9.

*As added by P.L.255-2001, SEC.9. Amended by P.L.141-2006,*

SEC.24.

#### **IC 12-7-2-174.8**

##### **Endangered adult medical alert**

Sec. 174.8. "Endangered adult medical alert" means an alert indicating that law enforcement officials are searching for a missing endangered adult.

*As added by P.L.140-2005, SEC.2.*

#### **IC 12-7-2-175**

##### **Service provider**

Sec. 175. "Service provider", for purposes of IC 12-27, means any of the following:

- (1) A state institution.
- (2) A private psychiatric hospital licensed under IC 12-25.
- (3) A community mental health center.
- (4) A community mental retardation and other developmental disabilities center.
- (5) A service provider certified by the division of mental health and addiction to provide substance abuse treatment programs.
- (6) A service provider or program receiving money from or through a division.
- (7) Any other service provider, hospital, clinic, program, agency, or private practitioner if the individual receiving mental health services or developmental training was admitted without the individual's consent.
- (8) A managed care provider (as defined in IC 12-7-2-127(b)).

*As added by P.L.2-1992, SEC.1. Amended by P.L.40-1994, SEC.16; P.L.215-2001, SEC.29.*

#### **IC 12-7-2-176**

##### **Services**

Sec. 176. "Services" means the following:

- (1) For purposes of IC 12-10-1 and IC 12-10-2, those services designed to provide assistance to the aged and the aging, including the following:
  - (A) Nutritional programs.
  - (B) Facilities improvement.
  - (C) Transportation services.
  - (D) Senior volunteer programs.
  - (E) Supplementary health services.
  - (F) Programs for leisure time activities.
  - (G) Housing and employment counseling.
  - (H) Informational, referral, and counseling programs to aid the aging and aged in availing themselves of existing services intended to aid the aged in attaining and maintaining self-sufficiency, personal well-being, and maximum participation in community life.
  - (I) Other services required under regulations established under the Older Americans Act (42 U.S.C. 3001 et seq.).

(2) For purposes of IC 12-28-1, the meaning set forth in IC 12-28-1-4.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-177**

##### **Shelter**

Sec. 177. (a) "Shelter", for purposes of IC 12-20, means a house, a mobile home, an apartment, a group of rooms, or a single room that is occupied or is intended for occupancy as separate living quarters where the occupant or intended occupant:

(1) does not live and eat with any other individual in the building; and

(2) has direct access to the occupant's living quarters from the outside of the building or through a common hall.

(b) Notwithstanding subsection (a), "shelter", for purposes of IC 12-20-17-2, has the meaning set forth in IC 12-20-17-2.

*As added by P.L.2-1992, SEC.1. Amended by P.L.51-1996, SEC.9.*

#### **IC 12-7-2-178**

##### **Repealed**

*(Repealed by P.L.81-1992, SEC.40.)*

#### **IC 12-7-2-178.1**

##### **Repealed**

*(Repealed by P.L.1-2009, SEC.174.)*

#### **IC 12-7-2-178.5**

##### **Single source drug**

Sec. 178.5. "Single source drug" means an outpatient drug that is produced or distributed under an original new drug application approved by the federal Food and Drug Administration, including a drug product marketed by any cross-licensed producers or distributors operating under the new drug application.

*As added by P.L.76-1994, SEC.1. Amended by P.L.6-2002, SEC.2 and P.L.107-2002, SEC.7.*

#### **IC 12-7-2-178.8**

##### **Repealed**

*(Repealed by P.L.141-2012, SEC.3.)*

#### **IC 12-7-2-179**

##### **Social Services Block Grant**

Sec. 179. "Social Services Block Grant" refers to the block grant under 42 U.S.C. 1397 et seq.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-180**

##### **Solicitation**

Sec. 180. "Solicitation", for purposes of IC 12-15-25-1, has the meaning set forth in IC 12-15-25-1.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-180.1**

**Special needs**

Sec. 180.1. "Special needs", for purposes of IC 12-10.5, has the meaning set forth in IC 12-10.5-1-2.

*As added by P.L.274-2003, SEC.4.*

**IC 12-7-2-180.2**

**Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-180.3**

**Special skilled services**

Sec. 180.3. "Special skilled services", for the purposes of IC 12-15-36, has the meaning set forth in IC 12-15-36-3.

*As added by P.L.76-1992, SEC.2.*

**IC 12-7-2-180.4**

**"Specified low-income Medicare beneficiary"**

Sec. 180.4. "Specified low-income Medicare beneficiary", for purposes of IC 12-15-2-26, has the meaning set forth in IC 12-15-2-26(d).

*As added by P.L.278-2013, SEC.3.*

**IC 12-7-2-180.5**

**Standards**

Sec. 180.5. "Standards", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-15.

*As added by P.L.75-1992, SEC.15.*

**IC 12-7-2-181**

**Repealed**

*(Repealed by P.L.1-1993, SEC.95.)*

**IC 12-7-2-182**

**Repealed**

*(Repealed by P.L.188-2013, SEC.4.)*

**IC 12-7-2-183**

**Repealed**

*(Repealed by P.L.49-1997, SEC.86.)*

**IC 12-7-2-184**

**State institution**

Sec. 184. (a) "State institution" means an institution:

- (1) owned or operated by the state;
- (2) for the observation, care, treatment, or detention of an individual; and
- (3) under the administrative control of a division.



(b) The term includes the following:

- (1) Evansville State Hospital.
- (2) Evansville State Psychiatric Treatment Center for Children.
- (3) Larue D. Carter Memorial Hospital.
- (4) Logansport State Hospital.
- (5) Madison State Hospital.
- (6) Richmond State Hospital.

*As added by P.L.2-1992, SEC.1. Amended by P.L.272-1999, SEC.24; P.L.141-2006, SEC.25; P.L.188-2013, SEC.5.*

### **IC 12-7-2-184.3**

#### **State match**

Sec. 184.3. "State match", for purposes of IC 12-8-12.5, means funding that counts toward the state's maintenance of effort under TANF (45 CFR 265) to obtain the maximum reimbursement available to the state from the TANF emergency fund under Division B, Title II, Subtitle B of the federal American Recovery and Reinvestment Act of 2009.

*As added by P.L.110-2010, SEC.19.*

### **IC 12-7-2-184.5**

#### **State of Indiana general educational development (GED) diploma**

Sec. 184.5. "State of Indiana general educational development (GED) diploma", for purposes of IC 12-14-5, has the meaning set forth in IC 12-14-5-2.

*As added by P.L.1-2007, SEC.109.*

### **IC 12-7-2-185**

#### **State ombudsman**

Sec. 185. "State ombudsman", for purposes of IC 12-10-13, has the meaning set forth in IC 12-10-13-6.

*As added by P.L.2-1992, SEC.1.*

### **IC 12-7-2-185.5**

#### **State or local public benefit**

Sec. 185.5. "State or local public benefit", for purposes of IC 12-32-1, has the meaning set forth in IC 12-32-1-3.

*As added by P.L.171-2011, SEC.12.*

### **IC 12-7-2-186**

#### **State plan**

Sec. 186. "State plan", for purposes of IC 12-8-6.5, refers to the state Medicaid plan for the Medicaid program.

*As added by P.L.2-1992, SEC.1. Amended by P.L.160-2012, SEC.15.*

### **IC 12-7-2-186.2**

#### **State plan amendment**

Sec. 186.2. "State plan amendment", for purposes of IC 12-15-46-1, has the meaning set forth in IC 12-15-46-1(c).

*As added by P.L.6-2012, SEC.85.*

**IC 12-7-2-186.5****Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-187****Repealed**

*(Repealed by P.L.90-2002, SEC.528.)*

**IC 12-7-2-188****Superintendent**

Sec. 188. "Superintendent" has the following meaning:

(1) For purposes of IC 12-24, the term refers to the administrative head of a state institution appointed under IC 12-24-2-2.

(2) For purposes of IC 12-24-6, IC 12-24-15, and IC 12-24-17, the term includes:

(A) an employee; or

(B) an individual who holds a license to practice medicine under IC 25-22.5;

designated as a deputy or an agent of the individual described in subdivision (1).

(3) For purposes of IC 12-26, the term means the chief administrative officer of a facility and includes the chief administrative officer's designee.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-188.3****Supervised group living facility**

Sec. 188.3. "Supervised group living facility", for purposes of IC 12-28-4 and IC 12-28-5, refers to a supervised group living facility for individuals with a developmental disability.

*As added by P.L.6-1995, SEC.7. Amended by P.L.111-1997, SEC.1; P.L.99-2007, SEC.52.*

**IC 12-7-2-188.5****Supervised group living facility for individuals with a developmental disability**

Sec. 188.5. "Supervised group living facility for individuals with a developmental disability", for purposes of IC 12-28-4 and IC 12-28-5, refers to a supervised group living facility for individuals with a developmental disability in a program described in IC 12-11-1.1-1(e)(1).

*As added by P.L.6-1995, SEC.8. Amended by P.L.272-1999, SEC.25; P.L.99-2007, SEC.53.*

**IC 12-7-2-188.7****Repealed**

*(Repealed by P.L.143-2011, SEC.31.)*

**IC 12-7-2-189**

**Support**

Sec. 189. "Support", for purposes of IC 12-20-25-41 has the meaning set forth in IC 12-20-25-41.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-189.3****Supportive services**

Sec. 189.3. "Supportive services", for purposes of IC 12-10-15, has the meaning set forth in IC 12-10-15-6.

*As added by P.L.73-1998, SEC.6.*

**IC 12-7-2-189.5****SURS**

Sec. 189.5. "SURS", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-16.

*As added by P.L.75-1992, SEC.16.*

**IC 12-7-2-189.7****TANF**

Sec. 189.7. "TANF", for purposes of IC 12-20 and IC 12-8-12.5, refers to the federal Temporary Assistance for Needy Families program under 42 U.S.C. 601 et seq.

*As added by P.L.180-2005, SEC.2. Amended by P.L.110-2010, SEC.20.*

**IC 12-7-2-189.8****TANF program**

Sec. 189.8. "TANF program" refers to the federal Temporary Assistance for Needy Families program under 42 U.S.C. 601 et seq.

*As added by P.L.92-2005, SEC.2.*

**IC 12-7-2-190****Task force**

Sec. 190. "Task force", for purposes of IC 12-10-5, has the meaning set forth in IC 12-10-5-1.

*As added by P.L.2-1992, SEC.1.*

**IC 12-7-2-190.3****Telehealth services**

Sec. 190.3. "Telehealth services", for purposes of IC 12-15-5-11, has the meaning set forth in IC 12-15-5-11(a).

*As added by P.L.204-2013, SEC.1.*

**IC 12-7-2-190.4****Telemedicine services**

Sec. 190.4. "Telemedicine services", for purposes of IC 12-15-5-11, has the meaning set forth in IC 12-15-5-11(b).

*As added by P.L.204-2013, SEC.2.*

**IC 12-7-2-190.5**

**Therapeutic appropriateness**

Sec. 190.5. "Therapeutic appropriateness", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-17.

*As added by P.L.75-1992, SEC.17.*

**IC 12-7-2-190.6****Therapeutic classification; therapeutic category**

Sec. 190.6. "Therapeutic classification" or "therapeutic category", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-17.5.

*As added by P.L.107-2002, SEC.8.*

**IC 12-7-2-190.7****Therapeutic duplication**

Sec. 190.7. "Therapeutic duplication", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-18.

*As added by P.L.75-1992, SEC.18.*

**IC 12-7-2-190.8****Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-190.9****Title IV-A**

Sec. 190.9. "Title IV-A" refers to Title IV-A of the federal Social Security Act.

*As added by P.L.257-1997(ss), SEC.9.*

**IC 12-7-2-191****Title IV-A Agency**

Sec. 191. "Title IV-A Agency", for purposes of IC 12-17, refers to the division of family resources.

*As added by P.L.2-1992, SEC.1. Amended by P.L.145-2006, SEC.61.*

**IC 12-7-2-192****Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

**IC 12-7-2-192.3****Total number of households containing township assistance recipients**

Sec. 192.3. "Total number of households containing township assistance recipients", for purposes of IC 12-20-28-3, has the meaning set forth in IC 12-20-28-3(c).

*As added by P.L.51-1996, SEC.10. Amended by P.L.73-2005, SEC.8; P.L.180-2005, SEC.3; P.L.1-2006, SEC.184.*

**IC 12-7-2-192.4****Total number of recipients**

Sec. 192.4. "Total number of recipients", for purposes of

IC 12-20-28-3, has the meaning set forth in IC 12-20-28-3(d).  
*As added by P.L.51-1996, SEC.11. Amended by P.L.180-2005, SEC.4.*

#### **IC 12-7-2-192.5**

##### **Total number of requests for assistance**

Sec. 192.5. "Total number of requests for assistance", for purposes of IC 12-20-28-3, has the meaning set forth in IC 12-20-28-3(e).

*As added by P.L.51-1996, SEC.12. Amended by P.L.180-2005, SEC.5.*

#### **IC 12-7-2-192.7**

##### **Repealed**

*(Repealed by P.L.143-2008, SEC.15.)*

#### **IC 12-7-2-193**

##### **Treatment by the department**

Sec. 193. "Treatment by the department", for purposes of IC 12-23, means treatment in a treatment program within Indiana that is certified under IC 12-23-1-6.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-194**

##### **Treatment team**

Sec. 194. "Treatment team", for purposes of IC 12-24-7, has the meaning set forth in IC 12-24-7-2.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-194.5**

##### **Trustees**

Sec. 194.5. "Trustees", for purposes of IC 12-15-18, has the meaning set forth in IC 12-15-18-3.5.

*As added by P.L.27-1992, SEC.9.*

#### **IC 12-7-2-195**

##### **Tuberculosis**

Sec. 195. "Tuberculosis", for purposes of IC 12-30-7-27, has the meaning set forth in IC 12-30-7-27.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-196**

##### **Unit**

Sec. 196. "Unit", for purposes of IC 12-12-7, has the meaning set forth in IC 12-12-7-1.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-196.5**

##### **Unrestricted access**

Sec. 196.5. "Unrestricted access", for purposes of IC 12-15-35.5,

has the meaning set forth in IC 12-15-35.5-2.5.  
*As added by P.L.107-2002, SEC.9.*

#### **IC 12-7-2-197**

##### **Vending machines**

Sec. 197. "Vending facilities", for purposes of IC 12-12-5, means automatic vending machines and snack bars and the auxiliary equipment necessary for the sale of newspapers, periodicals, confections, tobacco products, foods, beverages, and other articles or services dispensed automatically or manually and prepared on or off the premises in accordance with all applicable health laws.  
*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-198**

##### **Visually impaired**

Sec. 198. (a) "Visually impaired", for purposes of the statutes listed in subsection (b), refers to an individual who has a visual acuity between 20/60 and 20/200 in the individual's better eye with the best correction or a corresponding loss in visual field.

(b) This section applies to the following statutes:

(1) IC 12-12-1.

(2) IC 12-12-3.

*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-199**

##### **Vocational rehabilitation services**

Sec. 199. "Vocational rehabilitation services", for purposes of IC 12-28-1, has the meaning set forth in IC 12-28-1-5.  
*As added by P.L.2-1992, SEC.1.*

#### **IC 12-7-2-199.2**

##### **"Volunteer"**

Sec. 199.2. "Volunteer", for purposes of IC 12-17.2, means an individual who, without compensation, provides services to a child care home, child care center, provider (as defined in section 149.1(4) of this chapter), or child care ministry for at least eight (8) hours per month.

*As added by P.L.18-2003, SEC.5. Amended by P.L.225-2013, SEC.4.*

#### **IC 12-7-2-199.3**

##### **Repealed**

*(Repealed by P.L.18-2003, SEC.34.)*

#### **IC 12-7-2-199.5**

##### **Voucher payment**

Sec. 199.5. "Voucher payment", for purposes of IC 12-17.2-3.5, has the meaning set forth in IC 12-17.2-3.5-3.  
*As added by P.L.247-2001, SEC.2.*

#### **IC 12-7-2-199.8**

**Waiver**

Sec. 199.8. As used in IC 12-15-46-2, "waiver" has the meaning set forth in IC 12-15-46-2(c).

*As added by P.L.6-2012, SEC.86.*

**IC 12-7-2-200****Warrant**

Sec. 200. (a) "Warrant", for purposes of the statutes listed in subsection (b), means an instrument that is:

- (1) the equivalent of a money payment; and
- (2) immediately convertible into cash by the payee for the full face amount of the instrument.

(b) This section applies to the following statutes:

- (1) IC 12-10-6.
- (2) IC 12-13.
- (3) IC 12-14.
- (4) IC 12-15.
- (5) IC 12-19.

*As added by P.L.2-1992, SEC.1. Amended by P.L.145-2006, SEC.62.*

**IC 12-7-2-200.4****Waste**

Sec. 200.4. "Waste", for purposes of IC 12-15-35.5, has the meaning set forth in IC 12-15-35.5-2.6.

*As added by P.L.11-2010, SEC.1.*

**IC 12-7-2-200.5****Wasted resources**

Sec. 200.5. "Wasted resources", for purposes of IC 12-20, means:

- (1) the amount of money or resources expended by an applicant or an adult member of an applicant's household seeking township assistance during the thirty (30) days before the date of application for township assistance for items or services that are not basic necessities;
- (2) income, resources, or tax supported services lost or reduced as a result of a voluntary act during the sixty (60) days before the date of application for township assistance by an adult member of an applicant's household unless the adult member can establish a good reason for the act; or
- (3) lump sum amounts of money or resources from tax refunds, lawsuits, inheritances, or pension payments of at least four hundred dollars (\$400) that are expended by:
  - (A) an applicant seeking township assistance; or
  - (B) an adult member of the applicant's household;during the one hundred eighty (180) days immediately preceding the date of application for township assistance for items or services that are not basic necessities if, at the time of the expenditure, there were amounts due and owing for items or services constituting basic necessities.

*As added by P.L.51-1996, SEC.13. Amended by P.L.262-2003,*

*SEC.1; P.L.73-2005, SEC.9.*

**IC 12-7-2-201**

**Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*